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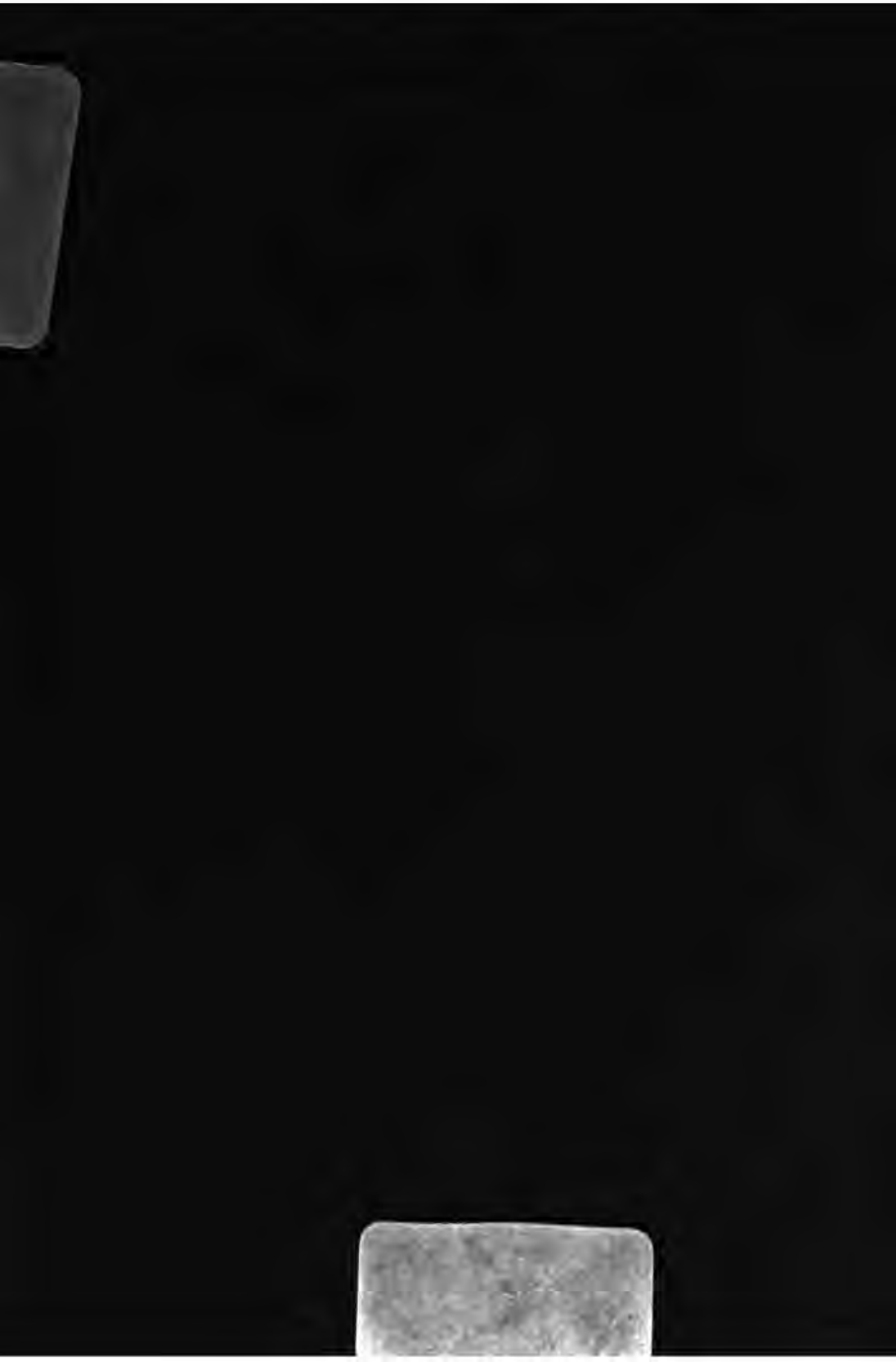
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THE  
LAWS RELATING  
TO  
QUARANTINE

OF  
HER MAJESTY'S DOMINIONS AT  
HOME AND ABROAD

AND  
OF THE PRINCIPAL FOREIGN STATES  
INCLUDING THE SECTIONS OF THE "PUBLIC HEALTH ACT," 1875  
WHICH BEAR UPON MEASURES OF PREVENTION

BY  
SIR SHERSTON BAKER, BART.

OF LINCOLN'S INN, BARRISTER-AT-LAW  
EDITOR OF "HALLECK'S INTERNATIONAL LAW,"



LONDON  
C. KEGAN PAUL & Co., 1, PATERNOSTER SQUARE

1879

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TO HIS GRACE  
THE DUKE OF RICHMOND AND GORDON, K.G.  
LORD PRESIDENT  
OF  
HER MAJESTY'S MOST HONOURABLE PRIVY COUNCIL,  
ETC.  
THIS WORK  
ON  
THE LAWS OF QUARANTINE  
IS RESPECTFULLY INSCRIBED  
BY  
THE AUTHOR.



## P R E F A C E.

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THE outbreak of the plague at Astrachan in the month of February last, and the alarm which naturally arose throughout Europe, led the Author to consider what were the existing laws, not only in this country, but also in the British colonies, and throughout the whole world, which had for their end the protection of mankind from so terrible a visitation. While of the actual causes of the plague we are, in the opinion of the most eminent members of the medical profession, still profoundly ignorant, yet there seems to be a general consensus that it is transmissible, and such being the case, quarantine in some shape or other is, as a preventive, a logical consequence.

The complete suspension of all communication with an infected country, or even the isolation of suspected or infected persons at a reasonably remote distance, and during a sufficiently long period, together with a complete disinfection of all objects supposed to be tainted with infection, has been generally recognized as a means of undoubted efficacy. This constitutes the ideal of "prophylactic quarantine." But in practice this ideal cannot be attained, for the suspension of all communication with an infected State is, strictly speaking, not applicable, except for the inhabitants of some secluded spot, such as an island, who do not of necessity communicate



with the country where the contagious disease is prevailing, and even this does not provide against dangerous communications, effected either clandestinely or through the medium of some other country. In fact absolute isolation is only practicable in a very restricted degree. A quarantine of long duration formerly constituted a practical method of protection, and was well suited to the slow and tardy commerce of the time. There was felt to be nothing disproportionate between the long and slow voyage and the lengthy quarantine. It certainly rendered great service, although its efficacy was not absolute. Complicated by all sorts of useless and barbarous processes, a long quarantine has now-a-days become a worthy object of criticism, and being, moreover, found to be a serious obstacle to the spirit of mercantile adventure, which has been increasing more and more, it has by degrees become obsolete, and has been replaced by milder regulations.

In practice, quarantine measures, be they what they may, can never give an absolute guarantee of safety; nevertheless they diminish more or less, according to the circumstances under which they are applied, and according to the vigour of the treatment with which they are enforced, the chances of an importation of infectious disease; in other words, quarantine can only give a relative guarantee. Must the conclusion then be as some would have it, that quarantine is useless? Must preventive measures be suppressed, because they cannot close every path against an importable and easily propagated infection? Such is not, however, the general experience of mankind, who, although aiming at perfection, are necessarily often content with a modicum of success. Shall we abolish the fire brigade, because a row of

houses are burnt down? Shall we dismiss the police force, because a dozen burglaries have occurred? Shall we denounce the system of railway signalling, because a false signal has caused a fatal catastrophe? No. In practice we must necessarily be content with the best relative certainty. In all cases it is sufficient for us if the means of prevention employed increase, in some reasonable degree, the chances of preservation and safety, and in such cases we consider those means of prevention advisable and worthy of adoption. Why should we require of quarantine that which we require of no other human institution?

Although quarantine does not constitute a certain means of preservation, it affords a probability more or less great of preservation. Quarantine necessarily occasions a certain annoyance to those engaged in commerce and in shipping—two important interests clash together, viz., those of public health, and those of commerce—it becomes the problem for every State to determine on the happy mean in which quarantine may become advantageous for the interests of all, that is to say, that the benefits to be expected from a quarantine system should be commensurate with the burden which the system imposes. Every State experiences the difficulty of conciliating these two antagonistic interests.

The first consideration, viz., the public health, should be paramount, as concerning the great body of the people. It is particularly among the poorer classes that epidemics are most severe, and it is a first duty of every government to protect the interests of public health.

The laws of the United Kingdom are well calculated to meet all contingencies of disease, and to protect the sanitary interests of the kingdom, with the least practi-

cable restraint on commerce. Owing, however, to a long continued exemption from imported contagion, these laws have somewhat fallen into desuetude, or even been lost sight of by those whose duty it would be to enforce them.

It would be out of place in a law-book to further discuss the aspect of the medical question, or to enter into political considerations connected with quarantine, but, perhaps, it may be permitted to state here that besides the well-known Great Plague of London of 1664-5, in which not less than 100,000 persons are computed to have perished in the course of one year, similar calamities have occurred in various parts of the United Kingdom much more frequently than is commonly supposed, as the following table will show :—

Year.	Illness.	Place.
A. D.		
430	A Pestilence	Britain
664	The <i>Yellow</i> Plague	The whole island, except the Highlands of Scotland
772	A Pestilence	Chichester
954	" "	Scotland
963	" "	England
1094	" "	London
1095	" "	Ireland
1111	" "	London (extending also to animals)
1172	" "	Ireland
1204	" "	Ireland
1361	" "	London
1370	" "	Ireland
1383	" "	Ireland
1407	" "	London
1470	" "	Dublin
1471	" "	Oxford
1478	" "	England generally

Year.	Illness.	Place.
1485	The awful <i>Sudor Anglicus</i> or sweating sickness	England generally
1499	A Pestilence	London
1506 {	The <i>Sudor Anglicus</i> (mortal in three hours)	London, and most chief towns of England
1517 }		
1522	A Plague	Limerick
1528	The <i>Sudor Anglicus</i>	England
1551	" "	England
1562	" "	London
1603	A Pestilence	England and Ireland
1625	" "	London
1635	" "	London
1831	Asiatic Cholera	Great Britain
1832	" "	Ireland
1848-9	" "	England
1866	" Black Death "	Dublin

Besides these epidemics at home, the terrible pestilence that began in Europe and extended over Asia and Africa in 558 must not be forgotten, nor that of 746, which destroyed 200,000 in Constantinople, and extended over Calabria, Sicily, and Greece. Again, the "Black Death"\* of 1343, commencing in Italy and spreading in Sicily, Tuscany, Provence, Germany, England, in fact over the whole of Europe for ten years; the outburst of the plague in Paris, in 1361-9; the spread of the sweating sickness in North Germany in 1529; the pestilence in Constantinople in 1611 and 1613; in France in 1632;† in Naples (brought by a

\* Boccaccio graphically describes this plague in his account of the epidemic at Florence; Bulwer Lytton does the same, in "Rienzi."

† The same pestilence ravaged Milan; it is mentioned at some length by Manzoni, in *I promessi sposi*.

troop-ship from Sardinia), in 1656; in the north of Europe in 1702-11; and at Marseilles (brought also by a ship) in 1720,\* are to be recorded. Further, Syria, Russia, Persia, Egypt, and Barbary suffered from a pestilence in 1760, 1771, 1773, 1792, and 1799 respectively. Spain and Gibraltar were visited by a plague in 1804-5; Noja, in the Kingdom of Naples, Corfu, and Cephalonia in 1815-16, and Tunis in 1818-20 were similarly affected; Gibraltar suffered from an epidemic fever in 1828. In 1835 Turkey and Egypt again suffered from a plague; while the sudden appearance of a plague in 1858 at Benghazi, in ancient Cyrenaica, seems to prove the fallacy of the idea that plague spontaneously germinates in the valley of the Nile. In 1863 an epidemic of plague broke out at Makin, near the foot of Mount Ararat; in 1867 a similar epidemic occurred in Mesopotamia, and in 1870 in Persian Kurdistan; again, in 1873 and in 1875, in Mesopotamia. In 1874, Arabia, which had been free from the plague since 1814, and Cyrenaica, which had been free from it since 1858, were both again visited by the pestilence, which continued throughout the years 1875, 1876, and 1877, the area of diffusion extending each year, Killah and Bagdad being amongst the places attacked. The yellow fever, which was formerly considered as restricted to the neighbourhood of the Gulf of Mexico, has, within the last thirty years, considerably enlarged its sphere of action. It appeared in Brazil about the year 1852; it devastated Monte Video; during the war with Paraguay it spread among the troops; and in 1871, at Buenos Ayres, expanded into one of the most terrible epidemics that has been known in the history of that disease. In

\* This plague is well described by Chicoyneau.

1873 the banks of the Mississippi, as far as Memphis, were attacked by the same foul contagion, which thus reached the centre of the North American continent. On the other hand, the West Coast of Africa has often been a hotbed of the disease; while the epidemics at Lisbon in 1858, at St. Nazaire in 1861, and on the Spanish shore in 1870, clearly evince that it is importable into Europe.

Cholera, through its frequent invasions, has left some terrible imprints in Europe; it appears to move by stages from one country to another. Thus, in 1865, it attacked consecutively Smyrna, Constantinople, Paris, Marseilles, and Naples. Again, in 1871, Königsberg, St. Petersburg, Constantinople, and Arabia, were particularly subjected to it. In 1873 the Italian shore, Genoa especially, was stricken with the epidemic.

These instances, which are very far from being exhaustive, are merely adduced as proofs that, judging from past experience, no age can safely delude itself with the belief that such dire visitations are things of the past, and that precautions may be disregarded. Malta suffered frequently from the plague; for 130 years it enjoyed an exemption, and doubtless its inhabitants delighted to believe that, however near it might be, it would never revisit them; it did appear, however, in 1813, and carried off upwards of 4,000 persons. The inhabitants of this island are very sensitive on the subject of quarantine. With this, and other similar lessons before them, is it to be wondered at?

In this work the Author has endeavoured to collect all the extant Statute authority of the United Kingdom, which has for purpose the check of infection and the promotion of the laws of health. The Orders in Council

in force relating to quarantine are reprinted from the *London Gazette* of past years, that work being difficult of access, save in large public libraries. Few cases concerning quarantine seem to have claimed the attention of the Superior Courts of Law of this country; such as there are, however, will be found duly noted, as also the existing rules and regulations in the United Kingdom, bearing on the subject. The British colonies and possessions are separately dealt with, the latest Acts or Ordinances of each are given, and the particular practice of each colony is noticed. With regard to Foreign States, great difficulty has been experienced by the Author in obtaining information both with regard to the law, and to the practice in force, in each State respectively; and where such information has been obtainable, the translation of the foreign law has caused the Author an additional task.

The Author takes this opportunity of sincerely thanking many friends for the kindness with which they have rendered him much practical and valuable assistance, and of acknowledging his obligations to the representatives of many Foreign States, in particular to His Excellency Musurus Pacha, Ambassador from the Sublime Porte, for much useful information on quarantine. He is well aware that the extreme difficulty of obtaining accurate information, especially with regard to foreign law, has caused him to leave much to be supplied, and he will at all times be glad to receive such corrections and additions as may be suggested, with a view to making this compendium as complete a work of International reference as possible.

S. B.

THE TEMPLE,

*May 24th, 1879.*

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# THE LAWS OF QUARANTINE.

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## CHAPTER I.

Quarantine—Its definition—Its first establishment—The Lazaret or Lazaretto—Former enactments on the subject.

QUARANTINE is established and recognized by International Law, for the common security and protection of States against those diseases which are supposed to be importable. Although the chief source of the intercourse of States, in their individual capacity, is the exchange of commodities of natural or artificial production, and a mutual exchange of superfluous commodities is, as a rule, reciprocally advantageous to both nations—and it may even be said, that it is the moral duty of a nation not to refuse commerce with another nation—yet this duty always pre-supposes the safeguard that such commerce is not hurtful to the nation which imports.

It belongs to each nation to judge for itself in this matter, and in a case of emergency a nation is not only not bound to sell its superfluities or goods to any other nation, but still less is it bound to purchase from it, or exchange with it, productions either of nature or of art. Neither is there any legal right in a State to compel

another State to admit its inhabitants, or to receive its commodities, however great may be the inducements to maintain such intercourse or traffic. But when such an intercourse or exchange is permitted, the foreign State, in the disposal of the commodities, allowed to be imported by her, is subject to such duties and restrictions, as the Government of the receiving State may judge necessary or expedient to impose for the benefit of its subjects.

And although it is contrary to sound policy for a nation to impose quarantine, merely for the purpose of providing a revenue to the country in which it is established, this is not to be understood of certain dues or duties, which are imposed, on ships entering the ports of a State, for the legitimate purpose of maintaining the quarantine or sanitary establishments of the country.

**Definition.** "Quarantine" may be defined as the delay which those who come from the Levant, or from any other country infected, or suspected of infection, are obliged to make in a place separated from the town where they arrive. This precaution was first taken to prevent travellers or merchandise from bringing contagious and pestilential illnesses from the Levant, which are there very common. This delay is called "Quarantine," because it should last for forty days. Nevertheless, when there is certainty that the passenger or goods do not come from suspected places, or from places infected with contagion, the time is shortened, the goods are permitted to be disembarked and the passengers to land, but both the one and the other are confined in a lazaret, where they are disinfected. The time they remain there is still termed "Quarantine," although it may only last for eight or nine, or a less number of days. The term is not accurate, but custom has sanctioned it.

The term "quarantine" is not restricted to sanitary regulations only. It is used, in law, on other occasions when *forty days* are intended to be designated. Thus, the forty days provided by the Charter of Henry I., and by Magna Charta, during which a widow was to remain in her husband's mansion-house after his death, and in which period her dower was to be assigned, are still known as the widow's "quarantine."

Montesquieu, speaking of the Plague, says: "Egypt is its principal seat, from whence it spreads over the whole globe. Most countries in Europe have made exceeding good regulations to prevent this infection, and in our times an admirable method has been contrived to stop it; this is by forming a line of troops round the infected country, which cuts off all manner of communication.

"The Turks, who have no such regulations, see the Christians escape this infection in the same town, and none but themselves perish; they buy the clothes of the infected, wear them, and proceed in their old way as if nothing had happened. The doctrine of a rigid fate, which directs their whole conduct, renders the magistrate a quiet spectator; he thinks that everything comes from the hand of God, and that man has nothing more to do than to submit."<sup>1</sup> Happily this state of things exists no longer.

The Venetians are believed to have been the first to establish what we now understand as "Quarantine," and it is probable that their sanitary regulations against the introduction of the plague were first issued in 1484,<sup>2</sup> but it was not until the plague of Marseilles, in 1720, that quarantine regulations were thoroughly understood.

<sup>1</sup> Spirit of Laws, Book XIII.

<sup>2</sup> Beckmann, Hist. of Invent., vol. ii.

*Its first  
establish-  
ment.*

In 1547, the Sessions of the Council of Trent, which was then sitting, were transferred to Bologna, on account of a dangerous distemper that prevailed in Trent and its neighbourhood, owing, as it was supposed, to continual rains that had altered the temperament of the air, and which, according to the opinion of the physicians of the Council, rendered it dangerous for the Prelates to remain in that city.<sup>3</sup> This pestilence, being in the words of the Decree of Translation, “*ex præmissis et aliis allegatis ita manifestè, et notorie constare, ut prælati in hâc civitate sine vitæ discrimine commorari minimè possint.*”

In Great Britain and Ireland, previous to the year 1800, the regulations of quarantine were comparatively few. For upwards of fifty years after that date, it was not found necessary to have any lazaret in Ireland; the small number of vessels bound to that part of the United Kingdom with cargoes of merchandise from the Levant, had to perform their quarantine at some port in England.

The Lazaret or Lazaretto.

Detention of persons in a lazaretto, is absolute imprisonment without the commission of any offence. It ought, therefore, to be as brief and light as possible, consistent with the safety of society, which it is designed to protect.<sup>4</sup> In the Levant, Russia, and Austria, it is more especially against the introduction of the plague,

<sup>3</sup> Sleid. lib. xix.

<sup>4</sup> The following remonstrance, addressed by thirteen passengers on board the steamer which left Southampton for Lisbon in September 1854, appeared in the public journals at the time:—

“Thirty-three of us arrived on Sunday afternoon last, in four days from Southampton, and after an hour’s sail in a lugger, amid heaps of luggage and packages, we reached the landing-place, where, for want of a small boat, we had, with great difficulty and danger, to traverse a couple of narrow planks communicating end to end with the shore.

“On entering the Lazaretto, at 6 P.M., we were dismayed to

a malady which, it appears, usually develops itself in the human system in two or three days at the most. The right rule undoubtedly is, that passengers should have the option of separating themselves at once from their apparel on arrival in quarantine, or as early as they can provide a change from without, and be examined by the medical inspecting officer at the time of changing, should they have come from any place with foul bills. When they have been again

find it already full to overflowing, and hence a struggle ensued for shelter, bedding, and provisions, which continued until midnight.

"Two gentlemen, their wives, a child, and maid-servant, were stowed away in a room without window, and about nine feet square; five ladies found seclusion in a garret, while others, including three invalids, had to put up with the floor and benches of the dining-room, in some instances without a particle of bedding. No luggage was brought to us until the following morning, but, now that it is here, few have the opportunity of undressing for a change of clothing.

"The lazaretto occupies three sides of a quadrangle, about 80 feet by 40, the fourth forming a terrace, which overhangs the river, at a considerable elevation. On this are the urinals, and at one end is a closet, in a most loathsome and disgusting state, while the slopes beneath emit the most offensive stench, and teem with rats and other vermin. The dormitories are generally small, detached, and irregular; but others are larger, and contain ten or more beds. All are crowded to excess, and many abound in filth and insects to a most alarming degree. Perhaps fifty persons could be badly accommodated within the walls, but there are now 105, exclusive of officials, and the hosts of boatmen, coal-porters, and others, equal to at least 100 more, whose occupation lies with the incoming ships and steamers. Fresh arrivals are hourly expected, and we are assured that the inmates are frequently more numerous, every available bed and mattress being doubly occupied.

"The only place for exercise is the centre quadrangle, which is the scene of such noisy irregularity that ladies, at times, cannot venture to show themselves in it.

"The charges for accommodation are nearly 8s. and 4s. per day."

visited, in four, five, or six days, and they are found to be perfectly well at the end of that period, it should suffice for their release; their effects should be then delivered also, or later if the expurgation could not be completed within the same time. Expurgation appears to be often imperfectly performed, and various articles of apparel, or of textile fabric, not wanted for immediate use, to remain untouched until they have passed into pratique. As to bulky packages of susceptible goods belonging to the cargo, as wool, cotton, skins, &c., or stuffs of any of the like, the most prompt and effective means of airing and purifying them should be adopted which modern science can suggest, and there ought to be the utmost requisite space, if possible, in the lazaretto for the purpose. Sailors' clothes should be, with the difference of circumstances, heated for expurgation like those of the passengers; and where no sickness of a suspicious nature has disclosed itself among them during the voyage, and they continue in good health after being regularly inspected, a week or ten days should be sufficient detention for them; also during the same period, their effects and the ship might be properly expurgated, for all to be released together. If contagious diseases break out, or are imported into quarantine, their treatment must mostly depend on medical decision,<sup>5</sup> and the means of separating the sound from the sick are one main essential object.<sup>6</sup>

<sup>5</sup> Dr. Wiblin, of Southampton, says that all goods may be safely and satisfactorily disinfected by nitric acid fumes, which are produced by pouring nitric acid upon copper filings. The fumes so produced are so powerful that no animalculæ can exist in them for more than two seconds; and the port-holes being closed for twelve hours, the process cannot fail to be effective.

<sup>6</sup> Report of Mr. Consul Sandison.

Apart from any statutory law, it undoubtedly was, and is, a nuisance at Common Law and an indictable offence for a person, with full knowledge of the fact, to expose in a public highway another person infected with a contagious disorder. No person having a disorder of this description upon him may be publicly exposed to the endangering of the health and lives of the rest of the community.<sup>7</sup>

A Statute passed in the reign of James I., is worthy of notice ; it is known as the 2nd (but commonly called 1st) James I. c. 31. It enabled the mayor, justices, and head officers of a place infected by the plague, to make a rate for the relief of the unhappy sufferers, and to effect such regulations as should be necessary to prevent the infection from spreading ; by that statute it was enacted, that if any person infected with the plague, or dwelling in any infected house, should be commanded by the officer to keep his house, and should disobey, he might be enforced by the watchman appointed to obey such necessary commands ; and if any hurt ensued by such enforcement, the watchmen were indemnified. And if such person so commanded to confine himself went abroad, and conversed in company, if he had no plague-sore upon him, he was punishable as a vagabond, by whipping, and to be bound to his good behaviour ; but if he had any infectious sore upon him uncured, he was guilty of felony and punishable with death. This statute was repealed by the 7 Will. IV. & 1 Vict. c. 91 ; it had for very many years been obsolete.

Former enactments on the subject.

The 45 Geo. III. c. 10 (which repealed former Acts of the same enactments), the 46 Geo. III. c. 98, the 50 Geo. III. c. 20, and the 51 Geo. III. c. 46, rendered all

<sup>7</sup> *Rex v. Vantandillo*, 4 M. & S. 73 ; *Rex v. Burnett*, *ibid.* 273.



ships, including ships of war, which came from, or which had touched at, any place from whence the King by Order in Council had adjudged it probable that the plague or any other infectious disease might be brought, subject to quarantine. The penalty of felony, without benefit of clergy, was imposed on disobedience of persons under quarantine, and on those also who, although not infected, should after entering the place of quarantine escape therefrom.

In the year 1800, the project of erecting a Lazaretto on Chetney Hill, in the county of Kent, was adopted, and by an Act of Parliament, 40 Geo. III. c. 80, and subsequent Acts, large sums of money were granted for the purpose of carrying it into effect. This building was made use of for some years, but it was discovered, before its completion, that the situation had been injudiciously selected, and the intended institution was in consequence abandoned, and the material disposed of by order of Government. Since that time the use of ships, originally resorted to as a temporary expedient during the progress of the Lazaretto, has been continued; the different stations will be found specified in the Order in Council (see *post*, p. 84).

To meet the expense of the building at Chetney Hill, certain duties were formerly imposed upon all ships coming from the Mediterranean, and to the same ships various regulations contained in the Quarantine Laws were applied, with a power of extending, by a special act of the Government, the operation of it to vessels coming from any other part of the world.

## CHAPTER II.

**Bills of Health—Duties of Consuls—Cases referring to Bills of Health—Detention through Quarantine—Pratique—Forcible protection against Contagion.**

THE application of the particular provisions of quarantine depends on the nature of certain documents, or certificates called "Bills of Health," with which the British **Bills of health.** consuls, residing in the ports of the Mediterranean and elsewhere, are directed to furnish all ships that may come from thence. These bills describe the state of the country, in respect of the existence or non-existence of the plague at the time of the departure of the vessel, and are of three kinds:—

The first is what is denominated a "clean bill," which imports that at the time of sailing no infectious disorder existed, nor had any case indicative of it occurred during the previous forty days.

The second is called a "suspected bill," in which the general health of the place is stated, together with the occasional arrival of vessels coming to such port from infected places, which subjects it to suspicion, although no illness among the crew may have appeared.

The third is a "foul bill," and imports the existence of the infection at the port or in the country at the period of the departure of the vessel from the port whence she sailed.

**Duties of Consuls.**

It is the duty of British Consuls to furnish masters of all vessels sailing from the ports within their districts, with certificates, written upon the back of the bills of health, specifying whether any and what part of the cargo had been received on board in full pratique from the shore, or whether it had been received from the lazaretto, or transhipped from any other vessel. It is considered desirable by the Foreign Office, that all bills of health furnished by British Consuls should be in the English language. British Consuls are also required to make known whatever measures of quarantine may be adopted within their districts to the Secretary of State, and to any British Naval, Military, or Colonial Authority who may be within reach, and equally to report the appearance of any fever or disease having a contagious or infectious character, and whether affecting human or animal life.

The fact of a ship being furnished with a clean bill, does not necessarily render her admissible to pratique. The clean bill is merely *some* evidence in her favour, which may be rebutted by other circumstances. Thus, a ship may leave a port with a clean bill, and while on her way to the port of arrival, the authorities of the latter port may learn, by telegraph, that a contagious fever broke out at the port of departure a day or two after the departure of the ship. In such case, the fever would have been lurking at the time the bill of health was given, and it would render the same of little or no value.

**Cases referring to bills of health.**

Although a bill of health is a document not necessary for ships clearing *outwards* from the English Custom-House, nor required by English law to be taken by ships sailing to the Mediterranean, yet as the then law of Sar-

dinia [1816] was well known to persons engaged in the Mediterranean trade, by which law a bill of health was required from all ships, even from England, without which they were obliged to perform quarantine, it was held by the Court of Common Pleas that the owner of an English ship was bound, under the covenant of "everything needful and necessary for the voyage," to provide the freighter with a bill of health for the ship.<sup>8</sup>

Previous to the passing of the Act 6 Geo. IV. c. 78, a vessel arrived at Liverpool with a foul bill of health. According to the then quarantine rules, she ought to have remained for sixty days without unloading her cargo. This foul bill had not arisen from any of the sailors having been sick on the voyage, but from a single old woman having died of a fever, which some persons called the plague, at the place from whence the ship sailed. This circumstance would make all ships foul which might sail from that place. Some, therefore, did not sail at all. The vessel in question came to England, and on her owners making a suitable representation, the authorities dispensed with the regulations, and permitted her to be unloaded. This precedent would probably be recognized in a similar emergency.

An American ship was taken by a British cruiser and carried into Gibraltar. She was released, and on the 5th of June, 1802, sailed for Cadiz, where she arrived the 10th of June, and performed a quarantine of seven days. On the 21st of June, the captain applied to the custom-house but was refused an entry, on the ground that the ship had previously been at a British port; but she was under no restraint of the Government, and might have

**Detention  
through  
quaran-  
tine.**

<sup>8</sup> *Levy v. Costerton*, 4 Camp., 389.

left Cadiz at any time. After repeated application by the supercargo, permission was given to the ship to enter on the 26th of August, and she then landed her cargo and took in another, with which she arrived at New York on the 28th of September. In an action brought by the shipowner against the affreighters for demurrage, it was held by the Supreme Court of the State of New York, that the prohibition to enter at Cadiz being permanent in its nature, and the defendants having the option to go to another port, and the ship at liberty to sail when she pleased, the detention afterwards was at the instance of and for the benefit of the defendants, who were, therefore, liable for the demurrage, after the expiration of the working days allowed by the charter-party, to commence from the 21st of June, when the captain was refused permission to enter.<sup>9</sup>

A vessel insured from Sierra Leone to London, and upon which the insurance was to endure until she had been moored in good safety twenty-four hours, arrived in the evening of the 18th February, 1828, and the captain having orders to take her into the King's Dock at Deptford, moored her near the Dock Gates. On the following morning he was informed at the dock, that no order for his admittance had been received; but that, if it had, the vessel could not then be admitted, on account of the quantity of ice in the river. The order was sent by the Navy Board on the 21st, but on account of the ice the ship could not be moved until the 27th, and then in warping her towards the dock a rope broke, she grounded, and was totally lost. The jury found that the vessel remained at her moorings from the 18th to

<sup>9</sup> 3 Johns. Cas., 162.

the 27th of February on account of the ice, and not for want of an order to enter the docks; it was held that, upon this finding, the plaintiff was entitled to recover, for that the place where the vessel was moored, not being the place of her ultimate destination, the policy did not expire when she had been there in safety twenty-four hours; and as the vessel remained at those moorings on account of the ice, and not waiting for the order, the underwriters were not discharged by the delay.<sup>10</sup>

A vessel in quarantine is still theoretically *in transitu*, and if the agent of the consignor gives notice and claims the cargo during such period, there is sufficient stoppage of the goods to prevent the property vesting in the assignees of the consignee, if he should become bankrupt, even although one of the assignees had already boarded the vessel and taken possession of, but not removed, the cargo.<sup>11</sup>

On the arrival of a ship from Turkey that is placed in quarantine, it is the custom in the port of London for persons to be sent on board by the consignee of goods to pack them, before their entry into port. In the event of the consignee neglecting to do so, it has been held that the consignee is liable for any injury which may happen to the goods through being landed in an unpacked condition.<sup>12</sup>

If a ship be necessarily detained on her voyage by quarantine, there is no element of a voluntary sacrifice, and the weight of American authority, although not

<sup>10</sup> Samuel v. The Royal Exchange Assurance Company, 8 B. and C., 119; yellow fever was probably suspected.

<sup>11</sup> Holst v. Pownal, 1 Esp., R. 240.

<sup>12</sup> Dunnage v. Joliffe, Guildhall Sittings after Michaelmas Term, 1789; but this custom is not in force, and it is not likely that it would be revived.

uniform, is against any claim for contribution for wages and provisions, or other expenses caused by such detention.<sup>13</sup>

**Pratique.**

"Pratique" is what a vessel receives when she has liberty to unload without impediment from laws of quarantine. Where such laws exist, vessels arriving from suspected countries must have a certificate to enable them to unload; and this is called being admitted to pratique. The word itself means "liberty to unload." In Art. 1 of the French Ordonnance of the 7th of August, 1822, it is said:—"Les provenances par mer ne sont admise à libre pratique, qu'après que leur état sanitaire a été reconnu par les autorités ou agents préposés à cet effet." If the vessel arrive at a place where there is no officer to examine and certify, that makes no difference to the shipper; he looks only to the actual liberty of unloading; how he obtains it is immaterial. Where there are officers of quarantine, a vessel coming from a country not suspected, has pratique without any form being gone through.<sup>14</sup>

**Forcible  
protection  
against  
contagion.**

In 1748 the *Adam*, a Dutch ship, carrying rice from Damietta to Marseilles, was cast on the coast of the island of Majorca by a tempest. The inhabitants (Spaniards) refused to permit the crew to land, as they feared the plague, from the fact of the ship sailing from the Levant. As the ship could not be removed, the Spaniards set her on fire, having previously furnished the crew with five boats, in which to save themselves and part of the cargo.<sup>15</sup>

<sup>13</sup> Stevens and Benecke on Av. (Phillip's Ed.) 165; *Kingston v. Girard*, 4 Dall. 274.

<sup>14</sup> *Bulley v. De la Arroyane*, 7 Ad. and Ell., 919.

<sup>15</sup> Emerigon, vol. i., 424.

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In 1719 the captain of the *Grand Saint Antoine*, a French ship returning to Marseilles from the Levant, and having lost several of his crew from the plague, fraudulently pretended that they had died of bad provisions, and neglected to go into quarantine. This cruel fraud was the cause of the death of half the inhabitants of the city. By order of the minister the vessel was burnt.<sup>16</sup>

When Valetta was attacked by the plague in 1813, Sir Thomas Maitland ordered a *cordon sanitaire* to be drawn round the town, and every person who attempted to pass it to be shot.

The law, as laid down in the above cases, may be considered applicable under the existing statutes.

<sup>16</sup> Emerigon, vol. i., 428.



## CHAPTER III.

Statutes—6 Geo. IV. c. 78—39 & 40 Vict. c. 36—29 & 30 Vict. c. 90—30 & 31 Vict. c. 101.

THE following Statute, which consolidates the chief enactments of the former Statutes concerning Quarantine, is in force in the whole of the United Kingdom.

## 6th GEO. IV. c. 78.

An Act to repeal the several Laws relating to the performance of Quarantine, and to make other provisions in lieu thereof. [27th June, 1825.]

WHEREAS it is expedient to repeal the several laws relating to the performance of Quarantine, and to make other provisions in lieu thereof: *Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that from and after the first day of June One thousand eight hundred and twenty-five, all and every Act and all parts of Acts of the Parliament*

Acts relating to quarantine repealed.

*of Great Britain and Ireland respectively, and of the Parliament of the United Kingdom, relating to the performance of Quarantine, or relating to the charging any duty or duties upon vessels which may be liable to or have performed Quarantine, shall be and the same is hereby repealed, save and except such Acts and such parts of Acts as relate to the payment and recovery of any duties imposed by the said Acts or any parts of Acts which shall be due and unpaid on the said first day of June by any person or persons under any or either of the said Acts, and also save and except as to any fine, penalty, forfeiture, or punishment, or fines, penalties, forfeitures, or punishments, to which any such person or persons may be liable by reason of the same, and also save and except as to any action, suit, prosecution, or other proceeding brought or commenced, or which shall hereafter be brought or commenced, for or on account of any such offence or offences so done or committed as aforesaid.*<sup>17</sup> **Exceptions.**

2. And be it enacted, that from and after the first day of June One thousand eight hundred and twenty-five all vessels, as well His Majesty's ships of war as others, coming from or having touched at any place from whence His Majesty, his heirs or successors, by and with the advice of his or their Privy Council, shall have adjudged and declared it probable that the plague or other infectious disease or distemper highly dangerous to the health of His Majesty's subjects may be brought, and all vessels and boats receiving any person, goods, **What vessels shall be liable to quarantine.**

<sup>17</sup> The words in italics are repealed by the schedule of the 36 & 37 Vict. c. 91, but by s. 1 it is enacted "where any enactment not comprised in the schedule has been repealed or perpetuated by any enactment hereby repealed, such repeal or perpetuation shall not be affected by the repeal effected by this Act."

wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever, from or out of any vessel so coming from or having touched at such infected place as aforesaid, whether such persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel books, letters, or other articles, shall have come or been brought in such vessels, or such persons shall have gone or articles have been put on board the same, either before or after the arrival of such vessels at any port or place in the United Kingdom, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, and whether such vessels were or were not bound to any port or place in the United Kingdom or the islands aforesaid, and all persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever on board of any vessels so coming from or having touched at such infected place as aforesaid, or on board of any such receiving vessels or boats as aforesaid, shall be and be considered to be liable to quarantine within the meaning of this Act, and of any order or orders which shall be made by His Majesty, his heirs, and successors, by and with the advice of his or their Privy Council, concerning quarantine and the prevention of infection, from the time of the departure of such vessels from such infected place as aforesaid, or from the time when such persons, goods, wares, merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles shall have been received on board respectively ; and all such vessels and boats as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandise, and all other articles as aforesaid, whether coming or brought in such

vessels or boats from such infected place as aforesaid, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom, or the islands aforesaid, and all persons, goods, wares, and merchandise, and other articles as aforesaid, on board such receiving vessel or boat as aforesaid, shall, upon their arrival at any such port or place, be obliged to perform quarantine in such place or places, for such time, and in such manner as shall from time to time be directed by His Majesty, his heirs or successors, by his or their order or orders in council notified by proclamation or published in the *London Gazette*; and that until such vessels and boats, persons, goods, wares, or merchandise, and other articles as aforesaid, shall have respectively performed and shall be duly discharged from quarantine, no such person, goods, wares, or merchandise, or other articles as aforesaid, or any of them, shall, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the islands aforesaid, come or be brought on shore, or go and be put on board any other vessel or boat, in order to come or be brought on shore in any such port or place, although such vessels so coming from such infected place as aforesaid, may not be bound to any port or place in the United Kingdom or the islands aforesaid, unless in such manner and in such cases and by such licence as shall be directed or permitted by such order or orders made by His Majesty, his heirs or successors, in council as aforesaid; and all such vessels and boats, whether coming from such infected place as aforesaid, or being otherwise liable to quarantine as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandise,

and other articles as aforesaid, whether coming or brought in such vessels or boats, or going or being put on board the same, either before or after the arrival of such vessels or boats, at any port or place in the United Kingdom or the islands aforesaid, and although such vessels or boats shall not be bound to any port or place in the United Kingdom or the islands aforesaid, and all commanders, masters, or other persons having the charge or command of any such vessels or boats, whether coming from any infected place or being otherwise liable to quarantine as aforesaid, shall be subject to all provisions, rules, regulations, and restrictions contained in this Act, or in any order or orders which shall be made by His Majesty, his heirs and successors, in council as aforesaid, concerning quarantine and the prevention of infection, and to all the pains, penalties, forfeitures, and punishments contained in this Act for any breach or disobedience thereof, or of any order or orders of His Majesty in council made under the authority thereof.<sup>18</sup>

**Power for Privy Council to order vessels coming from America or the West Indies, when the yellow fever, &c. prevails there, to go to certain places without being liable to quarantine.**

3. And be it further enacted, that it shall and may be lawful for His Majesty, his heirs and successors, by his or their order in council, or for the lords or others of his or their Privy Council, or any two or more of them, by their order from time to time, as often as they may see reason to apprehend that the yellow fever or other highly infectious distemper prevails on the Continent of America or in the West Indies, to require that every vessel coming from or having touched at any port or place on the Continent of America or in the West Indies, shall come to an anchor at certain places to be appointed from time to time by the Commissioners of His Majesty's Customs, [who are hereby authorized to

<sup>18</sup> See *post*, pp. 51-54.

make such appointment,] for the purpose of having the state of health of the crew of such vessel ascertained before such vessel shall be permitted to enter the port whereto she shall be bound, or any other port of the United Kingdom; but that such vessel shall not be deemed liable to quarantine unless it shall be afterwards specially ordered under that restraint.

4. Provided always, and be it enacted, that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, by his or their order or orders, made by the advice and consent of His Majesty's Privy Council in Ireland, and notified by proclamation, to give directions, where the urgency of the case shall require, as to the place or places and as to the time and manner in which ships and vessels arriving, and persons, goods, and merchandises coming or imported into any port or place in Ireland, shall make their quarantine, in pursuance of the provisions of this Act; and that until such ships, vessels, persons, goods, and merchandises shall have respectively performed and been discharged from such quarantine, pursuant to the provisions of this Act, it shall and may be lawful for any such persons, goods, or merchandises, or any of them, to come or be brought on shore, or to go or be put on board any other ship or vessel in any place in Ireland, in such cases and by such licence as shall or may be directed or permitted by any order or orders to be made by the Lord Lieutenant or other Chief Governor or Governors of Ireland, by the advice and consent of the Privy Council there, and notified as aforesaid; and that all such ships and vessels, and the persons or goods coming or imported in or going and being put on board such ships or vessels, and all ships, vessels, boats, and

Power to Lord Lieutenant, where the urgency of the case requires, to give directions, by proclamation, where vessels shall perform quarantine, &c.

persons receiving any goods or persons out of the same, and all persons going on board any such ships or vessels, shall be subject to such orders, rules, and directions concerning quarantine and the preventing infection as shall be made from time to time by the Lord Lieutenant or other Chief Governor or Governors of Ireland in Council, and shall be notified by proclamation as aforesaid, in pursuance of the provisions contained in this Act; and that the publication in the *Dublin Gazette* of any order or orders of the Lord Lieutenant or other Chief Governor or Governors and Council made in pursuance of this Act shall be deemed and taken to be sufficient notice to all persons concerned of all matters contained in any such order or orders respectively.

**Goods and vessels specified in any Order of Council subject to quarantine, as also all vessels arriving from any port under suspicious circumstances as to infection.**

5. And whereas certain sorts of goods and merchandise are more especially liable to retain infection, and may be brought from places infected into other countries, and from thence imported into the United Kingdom or the islands aforesaid: Be it enacted, that all such goods and merchandise as shall be particularly specified for that purpose in any order or orders made by His Majesty, his heirs or successors, in Council, concerning quarantine and the prevention of infection as aforesaid, which shall be brought or imported into any port or place in the United Kingdom or the islands aforesaid, from any foreign country or place in any vessel whatever, and the vessels in which the same shall be brought, and also all vessels which shall arrive from any port or place whatever under any alarming or suspicious circumstances as to infection, shall be subject and liable to such regulations and restrictions as shall be made by such order or orders of His Majesty, his heirs or successors, in Council as aforesaid, respecting the same.

6. And be it further enacted, that it shall and may be lawful for the Lords and others of His Majesty's Privy Council, or any two or more of them, to make such order as they shall see necessary and expedient upon any unforeseen emergency, or in any particular case or cases, with respect to any vessel arriving and having any infectious disease or distemper on board, or on board of which any infectious disease or distemper may have appeared in the course of the voyage, or arriving under any other alarming or suspicious circumstances as to infection, although such vessels shall not have come from any place from which His Majesty, his heirs or successors, by and with the advice of His Privy Council, may have adjudged and declared it probable that the plague or any such infectious disease or distemper may be brought, and also with respect to the persons, goods, wares, and merchandise, and other articles as aforesaid on board the same ;<sup>19</sup> and, in case of any infectious disease or distemper appearing or breaking out in the United Kingdom or the islands aforesaid, to make such orders and give such direction, in order to cut off all communication between any persons infected with any such disease or distemper and the rest of His Majesty's subjects, as shall appear to the said Lords or others of His Majesty's Privy Council, or any two or more of them, to be necessary and expedient for that purpose ; and likewise to make such orders as they shall see fit for shortening the time of quarantine to be performed by particular vessels, or particular persons, goods, wares, merchandise, or any other articles, or for absolutely or conditionally releasing

The Privy Council may make such order as they shall think necessary upon emergencies.

<sup>19</sup> Under this section, an Order in Council of March 17, 1879, required "the Prima" from Libau to perform quarantine at North Shields until the vessel and cargo (rags) were disinfected.



them or any of them from quarantine; and all such orders so made by the Lords or others of the Privy Council, or any two or more of them as aforesaid, shall be as good, valid, and effectual, to all intents and purposes, as well with respect to the commander, master, or other person having the charge of any vessel, and all other persons on board the same, as with respect to any other persons having any intercourse or communication with them, and to the penalties, forfeitures, and punishments to which they may respectively become liable, as any order or orders made by His Majesty, his heirs or successors, by and with the advice of his or their Privy Council, concerning quarantine, notified by proclamation or published in the *London Gazette*.

**Regulations for vessels in which infection shall appear within or without the Straits of Gibraltar.**

7. And be it further enacted, that if the plague, or such other infectious disease or distemper as aforesaid, shall appear on board any vessel within or without the Straights of Gibraltar, then the commander, master, or other person having the charge or command thereof, shall immediately proceed to such place as His Majesty, his heirs or successors, by and with the advice of his or their Privy Council, shall from time to time direct and appoint, where, being arrived, he shall make known his case to some officer of the Customs there, who shall with all possible speed send intelligence thereof to the Commissioners of the Customs in the port of London, to the end that such precautions may be used to prevent the spreading of the infection as the case shall require; and the said vessel shall there remain until directions shall be given thereto by the Lords or others of His Majesty's Privy Council, or any two or more of them, nor shall any of the crew or passengers on board thereof go on shore;

and such master and every other person on board such vessel shall obey such directions as he shall receive from the Lords and others of His Majesty's Privy Council, or any two or more of them as aforesaid; and the said commander, master, or any other person on board such vessel as aforesaid, who shall not act conformably to the provisions and regulations herein directed, or shall act in disobedience to such directions as shall be received on board such vessel from the Lords or others of the Privy Council, or any two or more of them as aforesaid, shall forfeit the sum of one hundred pounds.

8. And be it further enacted, that every commander, master, or other person having the charge of any vessel liable to the performance of quarantine, shall be and is hereby required at all times when such vessel shall meet with any other vessel at sea, or shall be within two leagues of the coast of the United Kingdom, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, to hoist a signal to denote that his vessel is liable to the performance of quarantine, which signal shall be in the day-time, if the said vessel shall have a clean bill of health, a large yellow flag, of six breadths of bunting, at the maintop mast-head, and if such vessel shall not have a clean bill of health, then a like yellow flag, with a circular mark or ball, entirely black, in the middle thereof, whose diameter shall be equal to two breadths of bunting; and in the night-time the signal shall in both cases be a large signal lanthorn with a light therein (such as is commonly used on board His Majesty's ships of war), at the same mast-head;<sup>20</sup> and such com-

Masters of vessels liable to quarantine to make signals on meeting other vessels at sea, or being within two leagues of the United Kingdom, or Guernsey, &c., on penalty of £100.

<sup>20</sup> Compliance with this section will lead to mischief, since the mast-head light will make the ship hoisting it, with her side lights, liable to be taken for a steamer; the only difference being the height

mander, master, or other person shall keep such signals respectively, as the case shall be, hoisted during such time as the said vessel shall continue within sight of such other vessel, or within two leagues of the said coasts or islands, and while so in sight or within such distance, until such vessel so liable to quarantine, as aforesaid, shall have arrived at the port or place where it is to perform quarantine, and until it shall have been legally discharged from the performance thereof; on failure whereof such commander, master, or other person having charge of such ship or vessel so liable to the performance of quarantine, shall forfeit and pay for every such offence the sum of one hundred pounds.

**Masters of vessels to hoist certain signals when plague or infectious disease on board, on penalty of £100.**

9. And be it further enacted, that every commander, master, or other person having the charge of any vessel on board whereof the plague or other infectious disease or distemper highly dangerous to the health of His Majesty's subjects shall actually be, shall be, and is hereby required at all times when such vessel shall meet with any other vessel at sea, or shall be within two leagues of the coast of the United Kingdom or the islands of Guernsey, Jersey, Alderney, Sark, or Man, to hoist a signal to denote that his vessel has the plague or other infectious disease or distemper, highly dangerous to the health of His Majesty's subjects, actually on board thereof, which signal shall be in the day-time a flag of yellow and black, borne quarterly, of eight breadths of bunting, at the maintop mast-head, and in the night-time the signal shall be two large signal lanterns, such as are commonly used on board of His

of the mast-head light. It would be well if the Board of Trade take effective measures hereon, to prevent the occurrence of the disasters which such mistake might occasion.

Majesty's ships of war, one over the other, at the same mast-head; and such commander, master, or other person, shall keep such signal hoisted during such time as the said vessel so having the plague or such other infectious disease or distemper as aforesaid on board thereof shall continue within sight of such other vessel, or within two leagues of the coasts or islands aforesaid, while so in sight or within such distance, until such vessel so having the plague or such other infectious disease or distemper, as aforesaid, on board thereof, shall have arrived at the port or place where it is to perform quarantine, and until it shall have been legally discharged from the performance thereof; on failure thereof such commander, master, or other person having charge of such vessel, shall forfeit and pay for every such offence the sum of one hundred pounds.

10. And be it further enacted, that if any commander, master, or other person having the charge or command of any vessel, and knowing that the same is not liable to the performance of quarantine, shall hoist such signal as aforesaid, or either of them, by day or night respectively, such commander or other person, as aforesaid, shall forfeit and pay the sum of fifty pounds.

11. And be it further enacted, that from and after the first day of July, one thousand eight hundred and twenty-five, as to all vessels arriving from any places beyond the Cape of Good Hope or Cape Horn, in South America, and after the first day of August, one thousand eight hundred and twenty-five, as to all vessels arriving from any parts of Africa or America not beyond those Capes, and from the West Indies and Mediterranean, and from and after the first day of June, one thousand eight hundred and twenty five, as to all vessels arriving from

Penalty on persons hoisting signals when not liable, £50.

Masters of vessels, on their arrival from foreign parts, to give to the pilots an account of the places at which they shall have loaded and touched, on penalty of £100.

Pilots to give notice of any Proclamation or Order in Council requiring the performance of quarantine, on penalty of £100.

any other places, every commander, master, or other person having the charge of any vessel coming from foreign parts, shall give to the pilot who shall go on board such vessel a written paper, containing a true account of the names of the place and country at which such vessel shall have loaded, and also of all the places at which any such vessel shall have touched on the homeward voyage, on pain of forfeiting the sum of one hundred pounds for any neglect or refusal to give such paper, or for any false representation or wilful omission therein; and if by any proclamation or order of His Majesty in Council,<sup>21</sup> made after the departure of any vessel from the United Kingdom and the said islands, and then in force, vessels coming from any place mentioned in any such paper shall be liable to the performance of quarantine, such pilot shall immediately give notice thereof to the commander or other person aforesaid of such vessel, on pain of forfeiting the sum of one hundred pounds for any neglect therein; and such commander or other person shall thereupon hoist a proper signal according to the provisions of this Act, and under the penalties in this Act contained for any neglect or refusal in respect of hoisting such signals.

Pilot to give notice if any articles be on board liable to quarantine, on penalty of £100.

12. And be it further enacted, that every commander, master, or other person having the charge of any vessel coming from foreign parts, which shall not be liable to quarantine in respect of the place from whence such vessel comes, shall give to the pilot who shall go on board of such vessel, a written paper containing a true account of the different articles composing the cargo of such vessel, on pain of forfeiting the sum of fifty pounds

<sup>21</sup> Proclamations and Orders in Council are published in the *London Gazette*.

for any neglect or refusal to give such paper, or for any false representation or wilful omission therein; and if by any proclamation or order of His Majesty in Council then in force, vessels having on board any of the articles mentioned in such paper shall be liable to the performance of quarantine, such pilot shall immediately give notice thereof to the commander or other person having the charge of such vessel, on pain of forfeiting one hundred pounds for any neglect therein, and such commander or other person shall thereupon hoist a signal, according to the provisions and under the respective penalties in this Act contained, for any neglect or refusal in respect of hoisting such signals; and in case any pilot shall bring or cause to be brought or conducted any vessel liable to the performance of quarantine into any place which is not or shall not be specially appointed for the reception of vessels so liable after receiving such paper as aforesaid, whereby it shall have been made appear that such vessel was liable to the performance of quarantine, or without requiring and receiving such paper as aforesaid, unless compelled thereto by stress of weather, adverse winds, or accidents of the sea, such pilot shall for every such offence forfeit and pay the sum of two hundred pounds.

**Penalty on pilots conducting vessels to any other place than that appointed for their reception, £200.**

13. And be it further enacted, that if any pilot being on board, or any commander, master, or other person having the charge of any vessel coming from foreign parts, whether such vessel shall be liable to quarantine or not, shall be required by any officer of the customs, authorized to act in the service of quarantine, to bring to such vessel, to the end that the commander, master, or other person having the charge thereof may be interrogated, according to the provision of this Act, and

**Pilot to bring to at request of Officer of Customs, on penalty of £100.**

shall neglect or refuse to bring to such vessel, as soon as it can be done with safety, in obedience to such requisition, every such pilot, commander, master, or other person having the charge of any such vessel, shall for every such offence, forfeit and pay the sum of one hundred pounds.

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14. And to the end that it may be better known whether any vessel be actually infected with the plague or other infectious disease or distemper as aforesaid, or whether such vessel, or the mariners or passengers coming, or the cargo imported in the same, are liable to any orders touching quarantine, be it further enacted, that when any country or place shall be known or suspected to be infected with the plague or other infectious disease or distemper, as aforesaid, or when any order or orders shall be made by His Majesty in Council concerning quarantine and the prevention of infection as aforesaid, then and in such case, as often as any vessel shall attempt to enter into any port or place in the United Kingdom, or of the isles of Guernsey, Jersey, Alderney, Sark, or Man, whether such port shall have been appointed for the performance of quarantine or not, the superintendent or assistant at such port or place, or if not, the principal officer of His Majesty's customs at such port or place, or such officer of the customs as shall be authorized to act in that behalf, shall go off to such vessel, and shall, at a convenient distance from such vessel, demand of the commander, master, or other person having charge of such vessel, and such commander, master, or other person, shall, upon such demand, give a true answer, in writing or otherwise, and upon oath or not upon oath, according as he shall by such superintendent or his assistant, or other officer of the customs authorized as aforesaid, be required, to all

such questions or interrogatories as shall be put to him by virtue and in pursuance of such regulations and directions as His Majesty by Order in Council shall be pleased to prescribe ; and in case such commander, or master, or other person having charge of such vessel, shall, upon such demand made as aforesaid, refuse to make a true discovery in any of the particulars concerning which he shall be interrogated in manner aforesaid, or in case he shall not be required to answer such questions or interrogatories upon oath, shall give a false answer to any such question or interrogatory as aforesaid, such commander, master, or other person having charge of such vessel, for every such offence shall forfeit and pay the sum of two hundred pounds.

**Masters of vessels refusing to answer interrogatories, &c. to forfeit £200.**

15. And be it further enacted, that in case it shall appear, upon such examination or otherwise, that such vessel is under such circumstances as shall render it liable to perform quarantine, and that the port or place where it so arrived, or at which it attempts to enter as aforesaid, is not the port or place where it ought to perform quarantine, in which case it shall and may be lawful to and for the officers of any of His Majesty's ships of war, or of any of His Majesty's forts or garrisons, and all other His Majesty's officers, upon notice thereof given to them or any of them respectively, and to and for any other person or persons whom they shall call to their aid and assistance, and such officers and other persons are hereby required to oblige such vessel to go and repair to such place as hath been or shall be appointed for performance of quarantine, and to use all necessary means for that purpose, either by firing of guns upon such vessel, or by any other kind of necessary force whatsoever ; and in case any such vessel shall come

**Vessels subject to quarantine arriving at any port than that at which it ought to be performed, may be forced to repair to the appointed place.**



**Masters of vessels that have touched at infected places, &c. omitting to disclose the same, or omitting to hoist the prescribed signal, to forfeit** £300.

from or shall have touched at any place infected by the plague or such other infectious disease or distemper as aforesaid, or shall have any person on board actually infected with the plague or other such infectious disease or distemper as aforesaid, and the commander, master, or other person having charge of such vessel, knowing that the place from whence he came or at which he had touched as aforesaid was infected with the plague or such other infectious disease or distemper, or knowing some person on board to be actually infected with the plague or such other infectious disease or distemper as aforesaid, shall refuse or omit to disclose the same upon such examination as aforesaid, or shall wilfully omit to hoist the signal hereinbefore directed, to denote that his vessel is liable to the performance of quarantine, at the times and on the occasions herein directed with respect to the same, such commander, master, or other person having charge of such vessel shall forfeit the sum of three hundred pounds.

**Commanders to deliver up bills of health, manifests, and log book to the Superintendent of Quarantine, on penalty of** £100.

16. And be it further enacted, that every commander, master, or other person having charge of any vessel which shall be ordered to perform quarantine as aforesaid shall forthwith, after his arrival at the place appointed for the performance of quarantine, deliver on demand to the superintendent of quarantine or his assistant, or other officer of the customs authorized to act in that behalf, and which superintendent, assistant, or other officer as aforesaid is hereby required to make such demand, his bill of health<sup>22</sup> and manifest, together with

<sup>22</sup> The fee payable to a British Consul for a bill of health is ten shillings; but so far as regards the Ottoman dominions, by Order in Council of July 27th, 1863, the following fees are substituted in lieu thereof, viz.: in respect of every British ship on each occasion of

his log book and journal, under pain of forfeiting the sum of one hundred pounds if he shall wilfully refuse or neglect so to do.

17. And be it further enacted, that if any commander, master, or other person having charge of any vessel liable to perform quarantine, and on board of which the plague or other infectious disease or distemper shall not then have appeared, shall himself quit or shall knowingly permit or suffer any seaman or passenger coming in such vessel to quit such vessel, by going on shore, or by going on board any other vessel or boat, before such quarantine shall be fully performed,<sup>23</sup> unless by such licence as shall be granted by virtue of any Order in Council to be made concerning quarantine as aforesaid, or in case any commander or other person having charge of such vessel shall not, within a convenient time after due notice given for that purpose, cause such vessel and the lading thereof to be conveyed into the place or places appointed for such vessel and lading to perform quarantine, then and in every such case every such commander, master, or other person as aforesaid for every such offence shall forfeit and pay the sum of four hundred pounds; and if any such person coming in any such vessel liable to quarantine, (or any pilot or other person going on board the same, either before or after the arrival of such vessel at any port or place in the United Kingdom or the Islands aforesaid,) shall, either before or after such arrival, quit such vessel, unless by such licence as aforesaid, by going on shore in

Penalty on masters, &c. quitting vessels or permitting persons to quit them, or not conveying same to the appointed places, £400.

Penalty on persons coming in such vessels or going on board, and quitting them before discharge from quarantine, to suffer imprisonment for six months, and forfeit £300.

her entering or clearing at any port in the Ottoman dominions, or her entry inwards, five shillings; and on her clearance outwards (including a bill of health, if required), five shillings.

<sup>23</sup> See p. 50.

any port or place in the United Kingdom or the Islands aforesaid, or by going on board any other vessel or boat with intent to go on shore as aforesaid, before such vessel so liable to quarantine as aforesaid shall be regularly discharged from the performance thereof, it shall and may be lawful for any person whatsoever, by any kind of necessary force, to compel such pilot or other person so quitting such vessel so liable to quarantine to return on board the same; and every such pilot or other person so quitting such vessel so liable to quarantine shall for every such offence suffer imprisonment for the space of six months, and shall forfeit and pay the sum of three hundred pounds.

**For punishing disobedience or refractory behaviour in persons under or liable to quarantine, or persons having intercourse with them.**

18. And whereas disobedience or refractory behaviour in persons under quarantine or liable to the performance of quarantine, or in other persons who may have had any intercourse or communication with them, may be attended with very great danger to His Majesty's subjects: Be it further enacted, that all persons liable to perform quarantine, and all persons having had any intercourse or communication with them, whether in vessels or in a lazaret or elsewhere, shall be subject, during the said quarantine, or during the time they shall be liable to quarantine, to such orders as they shall receive from the superintendent of quarantine, or his assistant, or from the principal officer of the customs at any port or place where there is no such superintendent or assistant, or from any other officer of the customs authorized to act in that behalf, and the said officers are hereby empowered and required to enforce all necessary obedience to the said orders, and in case of necessity to call in others to their assistance, and all persons so called in are hereby required to assist accordingly; and such

officers shall, and they are hereby empowered and required to compel all persons liable to perform quarantine as aforesaid, and persons having had any intercourse or communication with them, to repair to such lazaret, vessel, or place, and to cause all goods, wares, and merchandise, and other articles comprised within any such orders to be made as last aforesaid, to be conveyed to such lazaret, vessel, or place duly appointed in that behalf, in such manner and according to such directions as shall be made by Order of His Majesty in Council as aforesaid, or of the Lords or others of the Privy Council, or of any two or more of them; and if any person or persons liable to perform quarantine as aforesaid, or any person or persons having had any intercourse or communication with him, her, or them, shall wilfully refuse or neglect to repair forthwith, when required and directed so to do by such officer as aforesaid, to the said lazaret, vessel, or place duly appointed in that behalf, or, having been placed in the said lazaret, vessel, or place, shall escape or attempt to escape out of the same before quarantine duly performed, it shall and may be lawful to and for the said quarantine officers, and also the watchmen and other persons appointed to see quarantine performed, and each of them, and they are hereby respectively required, by such necessary force as the case shall require, to compel every such person so refusing or neglecting as aforesaid, and every such person so escaping or attempting to escape as aforesaid, to repair or return to such lazaret, vessel, or place so appointed as aforesaid; and every person so refusing or neglecting to repair forthwith as aforesaid to the said lazaret, vessel, or place, and also every person actually escaping as aforesaid, shall forfeit the penalty of two hundred pounds.

**Persons refusing to repair to the Lazaret or vessel, to forfeit £200.**

**Persons quitting vessels liable to perform quarantine, &c. may be seized.**

19. And be it further enacted, that it shall be lawful for any constable, headborough, tithingman, or other peace officer, or any other person, to seize and apprehend any person that shall, contrary to the provisions of this Act, have quitted or come on shore from any vessel liable to perform quarantine, or who shall have escaped from or quitted any vessel under quarantine, or from any lazaret, vessel, or place appointed in that behalf, for the purpose of carrying such person before any justice of the peace or magistrate; and it shall be lawful for any such justice of the peace or magistrate to grant his warrant for the apprehending and conveying of any such person to the vessel from which he or she shall have come on shore, or to any vessel performing quarantine, or lazaret, from which he or she shall have escaped, or for the confining of any such person in any such place of safe custody (not being a public gaol),<sup>24</sup> and under such restrictions as to having any communication with any other persons as may, in the discretion of any justice of the peace or magistrate (calling to his aid, if he shall see fit, any medical person), appear to be proper, until such person can be safely and securely conveyed to some place appointed for the performance of quarantine, or until directions can be obtained from the Privy Council as to the disposal of any such person, and to make any further order or grant any further warrant that may be necessary in that behalf.

**Inter-course with stations allotted for quarantine of vessels may be**

20. And whereas it may be necessary for the public security to prevent all communication whatever with vessels performing quarantine: Be it therefore further enacted, that it shall and may be lawful to and for His Majesty, his heirs or successors, by his or their Order

<sup>24</sup> See 40 & 41 Vict. c. 21.

or Orders in Council, notified by proclamation or published in the *London Gazette*, to prohibit all persons, vessels, and boats, whatsoever from going, under any pretence whatsoever, within the limits of any station which by any Order or Orders in Council as aforesaid has been or may be assigned for the performance of quarantine ; and if any person whatsoever, after such notification or publication of any such Order or Orders in Council, shall presume, under any pretence whatsoever, to go with any vessel or boat within the limits of any such station, he or she shall for every such offence forfeit and pay the sum of two hundred pounds.

21. And be it further enacted, that if any officer of His Majesty's customs, or any other officer or person whatsoever to whom it doth or shall appertain to execute any order or orders made or to be made concerning quarantine, or the prevention of infection, and notified as aforesaid, or to see the same put in execution, shall knowingly and wilfully embezzle any goods or articles performing quarantine, or be guilty of any other breach or neglect of his duty in respect of the vessels, persons, goods, or articles, performing quarantine, every such officer or person so offending shall forfeit such office or employment as he may be possessed of, and shall become from thence incapable to hold or enjoy the same, or to take a new grant thereof, and every such officer and person shall forfeit and pay the sum of two hundred pounds ; and if any such officer or person shall desert from his duty when employed as aforesaid, or shall knowingly and willingly permit any person, vessel, goods, or merchandise, to depart or be conveyed out of the said lazaret, vessel, or other place, as aforesaid, unless by

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by Order  
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Penalty on  
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permission under an order of His Majesty, by and with the advice of His Privy Council, or under an order of two or more of the Lords or others of his Privy Council, or if any person hereby authorized and directed to give a certificate of a vessel having duly performed quarantine or airing shall knowingly give a false certificate thereof, every such person so offending shall be guilty of felony; and if any such officer or person shall knowingly or wilfully damage any goods performing quarantine under his direction, he shall be liable to pay one hundred pounds damages and full costs of suit to the owner of the same.

**Vessels from the Mediterranean, Turkey, or Africa, having undergone examination and released from quarantine, to be admitted to entry upon producing a certificate of such examination.**

22. And be it further enacted, that if any vessel arriving from the Mediterranean, or from any port in Turkey or Africa, shall have undergone examination by the proper officer of quarantine, and upon a report of such examination being made to the Lords or others of His Majesty's Privy Council, their Lordships shall think proper to direct the release of such vessel from the performance of quarantine, it shall be lawful for such officer, and he is hereby required to grant to the master or person having the charge or command of such vessel a certificate in writing of such examination and release, and upon the production of such certificate to the collector or principal officer of His Majesty's Customs at any port in the United Kingdom, such vessel shall be admitted to entry without being liable to any further restraint.

**After proof of performance of quarantine, and proper certificate to that effect,**

23. And be it further enacted, that after quarantine shall have been duly performed by any vessel, person or persons obliged to perform quarantine as aforesaid, according to this Act, and to such order or orders made as aforesaid, and upon proof to be made

by the oaths of the master or other person having charge of such vessel, and of three or more of the persons belonging thereto, or upon proof to be made by the oaths of two or more credible witnesses, before the collector or principal officer of the customs at the port where such quarantine shall be performed, or at the port nearest thereto, or before the superintendent of quarantine or his assistant at the quarantine station, or before any justice of the peace living near to the port or place, or when such quarantine shall have been performed within any of the said Isles of Guernsey, Jersey, Alderney, Sark, or Man, before any two jurats or magistrates of any of the said isles respectively, that such vessel, and all and every such person and persons respectively have duly performed quarantine as aforesaid, and that the vessel and all and every person and persons are free from infection, and after producing a certificate to that purpose, signed by the chief officer who superintended the quarantine of the said vessel, or person acting for him, then and in the said respective cases such collector or principal officer of the customs, or the superintendent of quarantine, or his assistant, or such justice of the peace, or such jurats or magistrates as aforesaid, respectively, are hereby required to give a certificate thereof, and thereupon such vessel, and all and every such person or persons so having performed quarantine, shall be liable to no further restraint or detention upon the same account for which such vessel, person or persons shall have performed quarantine as aforesaid.

vessels or persons shall not be liable to further detention.

24. And be it further enacted, that all goods, wares, and merchandise, and other articles liable to quarantine as aforesaid, shall be opened and aired in

Goods liable to perform quaran-



time shall be opened and aired, as directed by Order in Council, and proof thereof to be made, &c.

such place or places, and for such time and in such manner as shall be directed by His Majesty, his heirs and successors, by such order or orders to be made as aforesaid, and after such orders shall have been duly complied with, proof thereof shall be made by the oaths of the master of the lazaret or vessel in which the goods, wares, and merchandise and all other articles shall have been opened and aired, and of one of the guardians, or if there be no guardians, then one of the officers authorized by the Commissioners of Customs to act in the service of quarantine in such lazaret or vessel, or if there be no such officer, then by the oaths of two or more credible witnesses serving in the said lazaret or vessel, before the superintendent of quarantine or his assistant, in case such opening and airing shall be had at a port or place where such superintendent or assistant shall be established, or otherwise before the principal officer of the customs authorized to act in the service of quarantine at such port or place, which oath such superintendent, assistant, or principal officer is hereby authorized to administer; and such superintendent, assistant, or principal officer, as the case may be, shall grant a certificate of such proof having been made, and upon production of such certificate to the proper officer of the customs, such goods, wares, and merchandises, and other articles, shall be liable to no further restraint or detention, either at the port or place where such quarantine shall have been performed, or at any other place whereto they be afterwards conveyed.

Persons forging or uttering false certificates required by Order in

25. And be it further enacted, that if any person shall knowingly or wilfully forge or counterfeit, interline, erase, or alter, or procure to be forged or counterfeited, interlined, erased, or altered, any certificate directed or

required to be granted by any order of His Majesty, his heirs or successors, in Council, now in force or hereafter to be made touching quarantine, or shall publish any such forged or counterfeited, interlined, erased, or altered certificate, knowing the same to be forged or counterfeited, interlined, erased, or altered, or shall knowingly and wilfully utter and publish any such certificate with intent to obtain the effect of a true certificate to be given thereto, knowing the contents of such certificate to be false, he or she shall be guilty of felony.

26. And be it further enacted, that if any person shall land or unship, or shall move in order to the landing or unshipping thereof, any goods, wares, or merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles from on board any vessel liable to perform quarantine as aforesaid, or shall knowingly receive the same after they have been so landed or unshipped, every such person shall forfeit and pay the sum of five hundred pounds; and if any person or persons shall clandestinely convey or secrete, or conceal for the purpose of conveying, any letters, goods, wares, or merchandise or other articles as aforesaid, from any vessel actually performing quarantine, or from the lazaret or other place where such goods, wares, merchandise, or other articles as aforesaid, shall be performing quarantine, every such person so offending as last aforesaid shall forfeit the sum of one hundred pounds.

27. And be it further enacted, that in case it shall at any time happen that any part of the United Kingdom or the islands of Guernsey, Jersey, Alderney, Sark, or Man, or France, Spain, or Portugal, or the Low Countries, shall be infected with the plague, or any other infectious disease or distemper as aforesaid, it shall and

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may be lawful to and for His Majesty, his heirs and successors, by his or their proclamation, to prohibit or restrain all vessels and boats under the burthen of one hundred tons from sailing or passing out of any port or place of the United Kingdom or the isles of Guernsey, Jersey, Alderney, Sark, or Man, or any of them, until security be first given by the master of every such vessel or boat respectively, to the satisfaction of the principal officers of the customs, or the chief magistrate of the port or place from whence such vessel or boat shall sail, by bond taken by such officer or magistrate, to the King, his heirs or successors, with sufficient sureties in the penalty of two hundred pounds, with condition that if such vessel or boat, shall not go to or touch at any country, port, or place to be mentioned for that purpose in such proclamation, and if neither the master or other person having charge of such vessel or boat, nor any mariner or passenger in such vessel or boat, shall, during the time aforesaid, go on board any other vessel at sea, and such master or other person having charge of such vessel or boat shall not permit or suffer any person or persons to come on board such vessel or boat at sea, from any other vessel, and shall not during the time aforesaid receive any goods or merchandise whatsoever out of any other vessel, then such bond shall be void, for the making of which bond no fee or reward whatsoever shall be taken; and in case any vessel or boat for which such security shall be required by such proclamation shall set sail or pass out of any port or place of the United Kingdom or the islands of Guernsey, Jersey, Alderney, Sark, or Man, or any of them respectively, before security be given as aforesaid, every such vessel or boat so sailing or passing out of any port or place contrary to

Penalty  
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the true intent and meaning of this Act, together with her tackle, apparel, and furniture, shall be forfeited to His Majesty, his heirs and successors, and the master of and every mariner sailing in such vessel or boat shall severally forfeit and pay the sum of two hundred pounds.

28. And be it further enacted, that the Consuls and Vice-Consuls of His Majesty, his heirs and successors, shall and are hereby empowered to administer oaths in all cases respecting quarantine, in like manner as if they were magistrates of the several towns or places where they respectively reside.

Power to  
Consuls,  
&c. to ad-  
minister  
oaths.

29. And be it further enacted, that in all cases wherein by virtue of this Act, or any other Act hereafter to be made touching quarantine, any examination or answer shall be taken or made upon oath, the person who shall be authorized and required to take such examinations and answers shall and may be deemed to have full power and authority to administer such oaths; and if any person who shall be interrogated or examined shall wilfully swear falsely to any matter concerning which such person shall depose or make oath on such examination or in such answer, or if any person shall procure any other person so to do, he or she so swearing falsely, or procuring any other person so to do, shall be deemed to have been guilty of and shall be liable to be prosecuted for perjury or subornation of perjury, as the case may be, and shall suffer the pains, penalties, and punishments of the law in such case respectively made and provided.

Persons  
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30. And be it further enacted, that all superintendents of quarantine at the several ports and their assistants shall and may be appointed by any instrument signed by the

Superin-  
tendents at  
Ports to be  
appointed.

**Principal  
Officer of  
the Customs to act  
as Superintendent  
of quarantine in  
case of absence, &c.**

Commissioners of Customs for the time being ; and everything required to be done and performed by the superintendent of quarantine or his assistant may, in case of the absence or sickness of such superintendent or assistant, be done and performed by such principal officer of the Customs as shall be authorized to act in that behalf.

**Publication in the  
"London Gazette"  
of Orders of Council,  
&c. sufficient  
notice.**

31. And be it further enacted, that the publication in the *London Gazette* of any Order in Council, or of any order by any two or more of the Lords or others of His Majesty's Privy Council, made in pursuance of this Act, or His Majesty's royal proclamation made in pursuance of the same, shall be deemed and taken to be sufficient notice to all persons concerned of all matters therein respectively contained.

**Recovery  
and appli-  
cation of  
penalties.**

32. And be it further enacted, that all forfeitures and penalties that shall be incurred by reason of any offence committed against this Act shall and may be recovered by suit in any of His Majesty's courts of record in England or Ireland, in which no essoign or wager of law, or more than one imparlance, shall be granted ; or in Scotland by summary action in the court of session, or by prosecution before the court of justiciary there, or by suit in any of His Majesty's courts in the islands of Guernsey, Jersey, Alderney, Sark, or Man ; and every such forfeiture and penalty shall belong and be given, two-thirds to the person who shall inform and sue for the same, and the remainder to His Majesty, his heirs and successors.<sup>25</sup>

**In whose  
name ac-  
tions for  
penalties  
in Eng-  
land &c.**

33. Provided always, and be it further enacted, that it shall not be lawful for any person or persons whatsoever to commence, prosecute, enter, or file, or

<sup>25</sup> See pp. 51-54.

cause or procure to be commenced, prosecuted, entered land, or Scotland must be prosecuted.  
or filed, any action, bill, plaint, information, or prosecution, or actions, bills, plaints, informations, or prosecutions, in any of His Majesty's courts in England, Ireland, or Scotland, or any proceeding or proceedings before any justice of the peace of any county, riding, division, city, town, stewartry, or place for the recovery of any fine, penalty, or forfeiture, fines, penalties, or forfeitures, incurred by reason of any offence committed against this Act, or against any order or orders made by His Majesty, his heirs or successors, in Council, or by two or more of the Lords or others of His Majesty's Privy Council as aforesaid, unless the same be commenced, prosecuted, entered, or filed in the names of His Majesty's Attorney-General in England or Ireland, or Advocate in Scotland respectively, or under the direction of the Commissioners of the Customs, and in the name or names of some officer or officers of the customs in England, Ireland, or Scotland, respectively; and if any action, bill, plaint, information, or prosecution, actions, bills, plaints, informations, or prosecutions, or any proceeding or proceedings before any justice as aforesaid, shall be commenced, prosecuted, entered, and filed in the name or names of any other person or persons than is in that behalf before mentioned, the same shall be and are hereby declared to be null and void.

34. Provided also, and be it further enacted, that in case any prosecution, suit, complaint, or other proceeding as aforesaid shall be commenced or depending by any officer or officers of the customs, for the recovery of any fine, penalty, or forfeiture, fines, penalties, or forfeitures, incurred by reason of any offence committed against this Act, or against any order or orders made by His  
In prosecutions by Officers of the Customs the Attorney-General in England or Ireland, or Advocate in

**Scotland,  
may stop  
proceed-  
ings.**

Majesty, his heirs or successors, in Council, or by any two or more of the Lords or others of His Majesty's Privy Council, as aforesaid, it shall and may be lawful for His Majesty's Attorney-General in England or Ireland, or Advocate in Scotland, respectively, to stop all further proceedings therein, as well with respect to the share of such fine, penalty, or forfeiture, fines, penalties, or forfeitures, to which any such officer or officers shall or may claim to be entitled, as to the share thereof belonging to His Majesty, if upon consideration of the circumstances under which any such fine, penalty, or forfeiture, fines, penalties, or forfeitures, may be incurred, it shall appear to them respectively to be fit and proper so to do.

**Offences  
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fine or im-  
prison.**

35. And be it further enacted, that all offences committed against any of the provisions of this Act, for which no specific penalty,<sup>26</sup> forfeiture, or punishment is provided by this Act, shall and may be tried, heard, and determined before any three justices of the peace, of the county, riding, division, city, or place where such offence or disobedience shall happen; and if any person shall be convicted of any such offence or disobedience, he or she shall be liable to such forfeiture and penalty, not exceeding the sum of five hundred pounds for any offence, or to such imprisonment, not exceeding twelve months for any one offence, as shall, in the discretion of the three justices who shall have heard and determined the same, be judged proper; and such forfeiture and

<sup>26</sup> When an Act of Parliament creates a new offence, and in the same clause gives a specific punishment, a Court has no discretion, but must inflict that punishment; yet when the offence is created by a separate substantive clause the Court may give a general judgment for that offence, as in a case of misdemeanour, notwithstanding that there be another section in the same statute giving a specific punishment. (*R. v. Harris*, 4 T. R. 202.)

penalty shall be paid, two-thirds to the person suing for the same and the remainder to His Majesty, to be applied as the proceeds of other forfeitures and penalties are hereinbefore directed to be applied. **Application of penalties.**

36. And be it further enacted, that in any prosecution, suit, or other proceedings against any person or persons whatsoever for any offence against this Act, or any Act which may hereafter be passed concerning quarantine, or for any breach or disobedience of any order or orders which shall be made by His Majesty, his heirs or successors, with the advice of his Privy Council, concerning quarantine and the prevention of infection, and notified or published as aforesaid, or of any order or orders made by two or more of the Lords or others of the Privy Council aforesaid, the answer or answers of the commander, master, or other person having charge of any vessel to any question or interrogatories put to him by virtue and in pursuance of this Act, or of any Act which may hereafter be passed concerning quarantine, or of any such order or orders as aforesaid, may and shall be given and received as evidence, so far as the same relates or relate to the place from which such vessel shall come, or to the place or places at which such vessel touched in the course of the voyage, and where any vessel shall have been directed to perform quarantine by the superintendent of quarantine or his assistant, or where there is no such superintendent or assistant, by the principal officer of the customs at any port or place, or other officer of the customs authorized to act in that behalf, they having been so directed to perform quarantine, may and shall be given and received as evidence that such vessel was liable to quarantine, unless satisfactory proof shall be produced by the defence. **Answers of persons having the charge of vessels shall be received as evidence so far as relates to the places from which vessels came, or at which they touched, and the having been directed to perform quarantine shall be received as evidence that vessels were liable, unless proof be made to the contrary, and the performing quarantine shall be proof of vessels being liable to perform it.**



dant in any such prosecution, suit, or other proceeding, to show that the vessel did not come from or touch at any such place or places as is or are stated in the said answer or answers, or that such vessel, although directed to perform quarantine, was not liable to the performance thereof; and where any such vessel shall have, in fact, been put under quarantine at any port or place by the superintendent of quarantine or his assistant, or other officer of the customs authorized as aforesaid to act in that behalf, and shall actually be performing the same, such vessel shall in any prosecution, suit, or other proceeding against any person or persons whatever for any offence against this Act, or any other Act which may hereafter be passed concerning quarantine and the prevention of infection, or any order or orders which shall be made by His Majesty in Council, or any two or more of the Lords or others of his Privy Council as aforesaid, be deemed and taken to be liable to quarantine, without proving in what manner or from what circumstance such vessel became liable to the performance thereof.

**General  
issue.**

37. And be it further enacted, that if any action or suit shall be commenced against any person or persons for anything done in pursuance or execution of this present Act, or of any order of Council made by virtue thereof, the defendant or defendants in such action or suit may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and in execution of the said Act, and if it shall appear so to have been done, then the jury shall find for the defendant or defendants; *and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgment shall have been given upon any*

*verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as the defendant or defendants hath or have in other cases by law;*<sup>27</sup> and that no such action or suit shall be brought against any person for any matter or thing done in pursuance or execution of this Act, but within the space of six months after such matter or thing shall have been done.

Treble costs.

Limitation of actions.

39 & 40 VICT. C. 36, SS. 73, 234 AND 235 (CUSTOMS LAWS CONSOLIDATION).

73. IF the importer of any goods shall not within fourteen days (exclusive of Sundays and holidays) after the arrival of the ship importing the same, make perfect entry or entry by bill of sight of such goods, or if, having made such entry, he shall not land such goods within such fourteen days, or within such further period as the Commissioners of Customs shall direct, the officers of the customs may convey such goods to the Queen's warehouse; and whenever the cargo of any ship shall have been discharged within such fourteen days, with the exception only of a small quantity of goods, the officers of the customs may forthwith deposit such remaining goods in the Queen's warehouse; and also at any time after the arrival of such ship may deposit any small packages or parcels of goods therefrom in the Queen's warehouse, there to remain for due entry during the remainder of such fourteen days, except as hereinafter mentioned; and if any goods so deposited in the Queen's warehouse, being of a perishable nature, shall not be cleared forthwith, or not being of a perishable

These sections apply to the whole of the United Kingdom, the Channel Islands, and the Isle of Man.

<sup>27</sup> The words in italics are repealed by 5 & 6 Vict. c. 97, s. 2.

nature shall not be cleared within three months after such deposit, or within such further period as the Commissioners may direct, and all charges of removal, freight, and warehouse rent be not paid, such goods may be sold, and the produce thereof paid in discharge of duties, freight, and charges, and the overplus, if any, to the proprietor of the goods on his application for the same; and in case such goods cannot be sold for a sufficient sum to pay the duties and charges, if ordered for sale for home consumption, or the charges if for exportation, the same may, by direction of the Commissioners of Customs be destroyed; and any officer of Customs having the custody of any goods which shall have come to his hands under the Customs Acts, may refuse delivery thereof from the Queen's warehouse or other place of deposit until proof be given to his satisfaction that the freight due upon such goods has been paid: provided that if the importing ship and goods be liable to the performance of quarantine, the time for entry and landing of such goods shall be computed from the time at which such ship and goods shall have been released from quarantine.

**Persons  
arriving in  
ships from  
infected  
places not  
to land be-  
fore ex-  
amination.**

234. It shall be lawful for Her Majesty in Council, or any two of the Lords of Her Majesty's Privy Council, from time to time, by Her or Their order, to require that no person on board any ship coming to any port in the United Kingdom, the Channel Islands, or the Isle of Man, from or having touched at any place out of the United Kingdom abroad, where they have reason to apprehend that yellow fever or other highly infectious distemper prevails, shall quit such vessel before the state of health of the persons on board shall have been ascertained, on examination by the proper officer of

customs, at such place or places as may from time to time be appointed by the Commissioners of Customs for such purpose, and before permission to land shall have been given by such officer, whether or not it shall on or after such examination be found expedient to order such vessel under the restraint of quarantine, and any person so quitting any such vessel shall forfeit a sum not exceeding one hundred pounds; and if the master, pilot, or person in charge of such ship shall not, on arrival at such place, hoist and continue such signal as shall be directed by such order, until the proper officer shall have given permission to haul down the same, he shall forfeit a like penalty; and such penalties, or either of them, if incurred, and any penalty incurred under the Act of the sixth year of the reign of King George the Fourth, chapter seventy-eight, shall be subject to reduction to any sum not exceeding one hundred pounds, and may be recovered by information and summons before a stipendiary magistrate, or any two justices of the peace, who are hereby authorized to reduce the same accordingly, and to commit the offender to prison in default of payment of any penalty so imposed for any period not exceeding six months.

235. All penalties and forfeitures recovered, and all sums, including justices' clerks' fees, awarded to be paid as costs to or for Her Majesty under this or any other Act relating to the Customs,<sup>28</sup> shall be paid to the Commissioners of Customs, and all penalties, forfeitures, and costs recovered under any Act relating to the Excise shall be paid to the Commissioners of Inland Revenue,

**Penalties and forfeitures to be paid to Commissioners.**

<sup>28</sup> The 6 Geo. IV. c. 78 is not a *Customs Act*, and it would seem, therefore, that any penalty recovered under it, and not reduced, would still follow s. 32, *see* p. 44.

or to the persons appointed by such Commissioners respectively to receive the same, and such penalties, forfeitures, and costs shall be applied by such Commissioners respectively in such manner as the law directs.

It appears that the following enactments are unrepealed so far as the Metropolis is concerned. (See 30 & 31 Vict. c. 101; and 38 & 39 Vict. c. 55, s. 343.) By virtue of the 41 & 42 Vict. c. 52, they no longer extend to Ireland.

29 & 30 VICT. c. 90, ss. 51, 52.

**Power to reduce penalties imposed by 6 Geo. IV. c. 78.**

51. All penalties imposed by the Act of the sixth year of King George the Fourth, chapter seventy-eight, intituled "An Act to repeal the several laws relating to quarantine, and to make other provisions in lieu thereof," may be reduced by the justices or court having jurisdiction in respect of such penalties to such sum as the justices or court think just.

**Description of vessels with in provisions of 6 Geo. IV. c. 78.**

52. Every vessel having on board any person affected with a dangerous and infectious disorder shall be deemed to be within the provisions of the Act of the sixth year of King George the Fourth, chapter seventy-eight, although such vessel has not commenced her voyage, or has come from or is bound for some place in the United Kingdom; and the Lords and others of Her Majesty's most honourable Privy Council, or any three or more of them (the Lord President of the Council, or one of Her Majesty's principal secretaries of state being one), may by order or orders to be by them from time to time made, make such rules, orders, and regulations as to them shall seem fit, and every such order shall be certified under the hands of the clerk in ordinary of Her Majesty's Privy Council, and shall be published in

the *London Gazette*, and such publication shall be conclusive evidence of such order to all intents and purposes ; and such orders shall be binding and be carried into effect as soon as the same shall have been so published, or at any other time as shall be fixed by such orders, with a view to the treatment of persons affected with the cholera and epidemic, endemic and contagious disease, and preventing the spread of cholera and such other diseases, as well on the seas, rivers, and waters of the United Kingdom, and on the high seas within three miles of the coast thereof as on land ; and to declare and determine by what Nuisance authority or authorities such orders, rules, and regulations shall be enforced and executed ; and any expenses incurred by such Nuisance authority or authorities shall be deemed to be expenses incurred by it, or them, in carrying into effect the Nuisances Removal Acts.

The quarantine charges and payments formerly payable by the Customs, are to be paid out of such aids or supplies as may be, from time to time, provided and appropriated by Parliament for that purpose. Quarantine charges not to be paid by Customs.  
(17 & 18 Vict. c. 94.)

30 & 31 VICT. C. 101, SS. 55, 56.

55. Any local authority may with the sanction of the Board (of Supervision for the Relief of the Poor in Scotland) lay down rules for the removal to any hospital to which such authority are entitled to remove patients, and for keeping in such hospital so long as may be necessary, any persons brought in this their district, by any ship who are infected with an infectious disorder, and they may by such rules impose any penalty, not With regard to Scotland.

exceeding £5, on any person committing any offence against the same.

56. Every ship having on board any person affected with a dangerous or infectious disorder, shall be deemed to be within the provisions of the Act of the sixth year of King George the Fourth, intituled *An Act to repeal the several Laws relating to Quarantine, and to make other Provisions in lieu thereof*, although such ship has not commenced the voyage,<sup>20</sup> or has come from, or is bound for, some place in the United Kingdom; and nothing in this Act contained shall interfere with, or prevent, the execution of any orders, regulations, or restrictions, to be made by the Lords, and others, of Her Majesty's Privy Council, pursuant to the said Act; and any expenses incurred by any local authority in carrying into effect such orders, regulations, or restrictions, shall be deemed to be expenses incurred by them in carrying into effect this Act, and all penalties imposed by the said Act of the sixth year of King George the Fourth, chapter seventy-eight, may be reduced by the justices, or court, having jurisdiction, in respect of such penalties to such sum as the justices, or court, think just.

It is to be observed that the penalties under the 35th section of 6 Geo. IV. c. 78, are to be inflicted by *three* justices of the peace. By virtue of 2 & 3 Vict. c. 71, s. 14, a Metropolitan Police Magistrate may exercise this jurisdiction, but other stipendiary magistrates have only the jurisdiction of *two* justices of the peace (see 21 & 22 Vict. c. 73, s. 1). It would therefore be prudent for the latter to adjudicate under the 39 & 40 Vict. c. 36.

<sup>20</sup> Therefore in Scotland, an outward-bound ship which has *not* commenced her voyage, as well as a coasting-vessel, is liable to the Quarantine Act.

## CHAPTER IV.

Orders in Council—Of the 19th July, 1825—Of the 4th October,  
1825—Of the 11th October, 1825—Of the 22nd March, 1879  
—Forms.

## ORDER IN COUNCIL.

PUBLISHED IN THE "LONDON GAZETTE," AUGUST 23, 1825.

AT THE COURT AT WINDSOR,

*The 19th Day of July, 1825,*

PRESENT,

THE KING'S MOST EXCELLENT MA-  
JESTY IN COUNCIL.

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WHEREAS by an Act passed in the last session of Parlia-  
ment, intituled *An Act to repeal the several Laws relating  
to the Performance of Quarantine, and to make other Pro-  
visions in lieu thereof*, it is amongst other things enacted  
that from and after the first day of June, one thousand  
eight hundred and twenty-five, all vessels, as well His  
Majesty's ships of war as others, coming from or having  
touched at any place from whence His Majesty, his



heirs or successors, by and with the advice of his or their Privy Council, shall have adjudged and declared it probable that the plague or other infectious disease or distemper highly dangerous to the health of His Majesty's subjects may be brought, and all vessels and boats receiving any person, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other articles whatsoever, from or out of any vessel so coming from or having touched at such infected place as aforesaid, whether such persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles, shall have come or been brought in such vessels, or such persons shall have gone or articles have been put on board the same, either before or after the arrival of such ships or vessels at any port or place in the United Kingdom, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, and whether such vessels were or were not bound to any port or place in the United Kingdom, or the Islands aforesaid, and all persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other articles whatsoever, on board any vessels so coming from or having touched at such infected place as aforesaid, or on board of any such receiving vessels or boats as aforesaid, shall be and be considered to be liable to quarantine within the meaning of the said Act, and of any order or orders which shall be made by His Majesty, his heirs or successors, by and with the advice of his or their Privy Council, concerning quarantine and the prevention of infection, from the time of the departure of such vessels from such infected place as aforesaid, or from the time when such persons, goods,

wares, merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles shall have been received on board respectively; and that such vessels and boats as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandises, and other articles as aforesaid, whether coming or brought in such vessels or boats from such infected place as aforesaid, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the Islands aforesaid, and all persons, goods, wares, and merchandise, and other articles as aforesaid, on board such receiving vessel or boat as aforesaid, shall, upon their arrival at any such port or place, be obliged to perform quarantine in such place or places, for such time, and in such manner as shall from time to time be directed by His Majesty, his heirs or successors, by his or their order or orders in Council notified by proclamation or published in the *London Gazette*; and that until such vessels and boats, persons, goods, wares, and merchandises, and other articles as aforesaid shall have respectively performed and shall be duly discharged from quarantine, no such person, goods, wares, or merchandise, or other articles as aforesaid, or any of them, shall, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the Islands aforesaid, come or be brought on shore, or go or be put on board any other vessel or boat in order to come or be brought on shore, in any such port or place, although such vessels so coming from such infected place as aforesaid may not be bound to any port or place in the United Kingdom or the Islands aforesaid, unless in such manner and in such cases and by such licence as shall be

directed or permitted by such order or orders made by His Majesty, his heirs or successors, in Council as aforesaid; and that all such vessels and boats, whether coming from such infected place as aforesaid, or being otherwise liable to quarantine as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandise, and other articles as aforesaid, whether coming or brought in such vessels or boats, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the Islands aforesaid, and although such vessels or boats shall not be bound to any port or place in the United Kingdom or the Islands aforesaid, and that all commanders, masters, or other persons having the charge or command of any such vessels or boats, whether coming from any infected place or being otherwise liable to quarantine as aforesaid, shall be subject to all the provisions, rules, regulations, and restrictions contained in the said Act, or in any order or orders which shall be made by His Majesty, his heirs and successors, in Council as aforesaid, concerning quarantine and the prevention of infection, and to all the pains, penalties, forfeitures, and punishments contained in the said Act for any breach or disobedience thereof, or of any order or orders of His Majesty in Council made under the authority thereof.

And whereas, after reciting that certain sorts of goods and merchandise are more especially liable to retain infection, and may be brought from places infected into other countries, and from thence imported into the United Kingdom or the Islands aforesaid, it is likewise enacted, that all such goods and merchandise as shall be particularly specified for that purpose in any order or

orders made by His Majesty, his heirs or successors, in Council, concerning quarantine and the prevention of infection as aforesaid, which shall be brought or imported into any port or place in the United Kingdom or the Islands aforesaid from any foreign country or place in any vessel whatsoever, and the vessels in which the same shall be brought, and also all vessels which shall arrive from any port or place whatever under any alarming or suspicious circumstances as to infection, shall be subject and liable to such regulations and restrictions as shall be made by such order or orders of His Majesty, his heirs or successors, in Council, as aforesaid, respecting the same.

His Majesty, under the authority of the said above-recited Act, by and with the advice of his Privy Council, doth hereby adjudge and declare it probable that the plague or some other infectious disease or distemper, highly dangerous to the health of His Majesty's subjects, may be brought into the United Kingdom, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, by vessels coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, with or without clean bills of health, and also by the importation into the United Kingdom or the Islands aforesaid of certain goods, wares, and merchandises hereinafter enumerated, being the growth, produce, or manufacture of Turkey, or of any place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, from any port or place in Europe without the Streights or on the Continent of America, at which there is not a regular establishment for the performance of quarantine, which shall have been declared sufficient for that purpose by any order of His Majesty in Council, notified by procla-

Adjudica-  
tion of the  
places  
from  
whence  
infectious  
diseases  
may be  
brought.

mation or published in the *London Gazette*, and His Majesty is therefore pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered :

**What quarantine to be performed by vessels with clean bills of health.**

1. That all vessels, as well His Majesty's ships of war as all others (not having the plague, or such other infectious disease or distemper as aforesaid actually on board), coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, with clean bills of health, and all vessels and boats receiving any person or persons, goods, wares, or merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other articles whatever, from or out of any such vessel, before such vessel shall have performed and shall be duly discharged from quarantine, whether such person or persons, goods, wares, or merchandise, or other articles as aforesaid, shall have come or been brought in such vessel, or such person or persons shall have gone or articles have been put on board the same, either before or after the arrival of such vessel, and whether such vessel was or was not bound to any port or place in the United Kingdom or the Islands aforesaid, shall, together with all persons (as well pilots as others), goods, wares, and merchandise, and other articles as aforesaid, on board thereof, perform such quarantine for such time, in such manner, and at such places as are hereinafter directed ; and all commanders, masters, and other persons on board any such vessel or boat so liable to quarantine as aforesaid, and all persons who shall have any intercourse or communication with them or any of them, shall forthwith repair to such lazaret, vessel, or place as is herein appointed or shall hereafter be appointed in that behalf by any order of His Majesty in Council as aforesaid, or of the Lords and others of the Privy

Council, or any two or more of them, for the performance of quarantine, and shall there perform quarantine accordingly, under and subject to all the pains, penalties, fines, forfeitures, and punishments, as well pains of death as others, to which any such commander, master, or person is or may be by law subject for any refusal or neglect to repair to such lazaret, vessel, or place as aforesaid, or for any escape or attempt to escape therefrom, or for any other breach or disobedience of the provisions, rules, and regulations of the said hereinbefore recited Act or of this order, or of any orders which may hereafter be made as aforesaid.

2. And it is hereby further ordered, That all such vessels so coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, as shall arrive with clean bills of health<sup>30</sup> as aforesaid, and all such receiving vessels and boats as aforesaid, and all persons, goods, wares, and merchandises, and other articles on board the same, shall respectively perform quarantine in the places hereinafter appointed,<sup>31</sup> except in the cases hereinafter otherwise provided for; that is to say, all such vessels so arriving as last aforesaid as are or shall be bound to the ports of

At what places such vessels are to perform quarantine.

London,                      Rochester,                      Faversham,

and any creeks or places belonging to or within any or

<sup>30</sup> All vessels coming from Alexandria with cotton, although they may bring clean bills of health, are required to perform quarantine; Order in Council, September 7, 1825.

<sup>31</sup> It is probable that vessels liable to quarantine would, should the emergency again arise, receive specific directions as to where they should undergo quarantine, and that this Order would not be adhered to, *see* s. 18 of Quarantine Act, p. 34.

either of the above ports, shall perform quarantine in Standgate Creek.

Such of them as shall be bound to the ports of

Leigh,	Yarmouth,	Hull,
Malden,	Blackney and	Bridlington,
Colchester,	Clay,	Scarborough,
Harwich,	Wells,	Whitby,
Ipswich,	Lynn,	Stockton,
Woodbridge,	Wisbeach,	Sunderland,
Aldborough,	Boston,	Newcastle,
Southwold,	Grimsby,	Berwick,

and any creeks or places belonging to or within any or either of the above ports, shall perform quarantine in Whitebooth Roads, between Hull and Grimsby.

Such of them as are or shall be bound to the ports of

Carlisle,	Preston,	Beaumaris,
Whitehaven,	Liverpool,	Isle of Man,
Lancaster,	Chester,	

and any creeks or places belonging to or within any or either of the above ports, shall perform quarantine at Bromborough Pool or in Milford Haven.

Such of them as are or shall be bound to the ports of

Sandwich,	Newhaven,	Portsmouth,
Deal,	Shoreham,	Southampton,
Dover,	Arundel,	Cowes,
Rye,	Chichester,	

and any creeks or places belonging to or within any or either of the above ports, shall perform quarantine at the Motherbank, near Portsmouth.

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Such of them as are or shall be bound to the ports of

Poole,	Plymouth,	Penryn,
Weymouth,	Looe,	Truro,
Lyme,	Fowey,	Penzance,
Exeter,	Falmouth,	Scilly,
Dartmouth,	Gweek,	

and any creeks or places belonging to or within any or either of the above ports, shall perform quarantine at St. Just's Pool, within the Mouth of the Harbour of Falmouth.

Such of them as are or shall be bound to the ports of

Bridgewater,	Gloucester,	Cardiff,
Minehead,	Chepstow,	Swansea,
Bristol,		

and any creeks or places belonging to or within any or either of the above ports, shall perform quarantine at King Road and Portshute Pill.

Such of them as are or shall be bound to the ports of

St. Ives,	Ilfracombe,	Milford,
Padstow,	Llanelly,	Cardigan,
Bideford,	Pembroke,	Aberystwith,
Barnstaple,		

or any creeks or places belonging to or within any or either of the above ports, shall perform quarantine at Milford Haven aforesaid.

Such of them as are or shall be bound to the Islands of Jersey, Guernsey, Sark, or Alderney, or either of them, or any part of them or either of them, shall



perform quarantine, either at the Motherbank near Portsmouth aforesaid, or at St. Just's Pool, within the mouth of the harbour of Falmouth aforesaid, being places hereinbefore appointed for performance of quarantine.

Such of them as are or shall be bound to the eastern coast of Scotland, comprehending the ports of

Leith,	Kirkaldy,	Perth,
Borrowstoness,	Anstruther,	Montrose,
Alloa,	Prestonpans,	and
Dunbar,	Dundee,	Aberdeen,

or to any member, creek, or other place belonging to or within any or either of the above ports, shall perform quarantine in Inverkeithing Bay.

Such of them as are or shall be bound to the western ports of Scotland, comprehending the ports of

Port Glasgow,	Fort William,	Port Patrick,
Greenock,	Ayr,	Stranraer,
Oban,	Irvine,	and
Rothesay,	Campbeltown,	Wigtown,

or to any member, creek, or other place belonging to or within any or either of the above ports, shall perform quarantine at Holy Loch in the Frith of Clyde.

Such of them as are or shall be bound to the northern ports of Scotland, comprehending the ports of

Inverness,	Orkney,	and
Zetland,	Caithness,	Stornaway,

or to any member, creek, or other place belonging to or within any or either of the above ports, shall

perform quarantine in Cromarty Bay in the Murray Frith.<sup>22</sup>

Such of them as are or shall be bound to the south-west ports of Scotland, comprehending the ports of

Dumfries and Kirkcudbright,

or to any member, creek, or other place belonging to or within either of the above ports, shall perform quarantine at Carsthorn, at the mouth of the river Nith.

Such of them as are or shall be bound to any port in Ireland between Missen Head and Tuskard shall perform quarantine in the Bay of Baltimore; such of them as are or shall be bound to any port between Tuskard and Rathlin shall perform quarantine in Lough Larne and the Bay of Carlingford, near Killoween Point, opposite the town of Carlingford; such of them as are or shall be bound for any port between Rathlin and Tory Island shall perform quarantine in Ballymastoker Bay or Red Castle Road, near Londonderry; such of them as are or shall be bound for any port between Tory Island and Blacksod Bay shall perform quarantine in the harbour of Killybeggs; such of them as shall be bound for any port between Blacksod Bay and Loop Head shall perform quarantine in Clew Bay, otherwise called the Bay of Burrishowle; and lastly, such of them as shall be bound for any port between Loop Head and Missen Head, shall perform quarantine in Scatterry Bay in the river of Limerick.

<sup>22</sup> By Order in Council, dated 30th of September, 1825, Inverkeithing Bay is substituted for Cromarty Bay, and Holy Loch is substituted for Carsthorn, *see post*, p. 108.

heirs or successors, by and with the advice of his or their Privy Council, shall have adjudged and declared it probable that the plague or other infectious disease or distemper highly dangerous to the health of His Majesty's subjects may be brought, and all vessels and boats receiving any person, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other articles whatsoever, from or out of any vessel so coming from or having touched at such infected place as aforesaid, whether such persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles, shall have come or been brought in such vessels, or such persons shall have gone or articles have been put on board the same, either before or after the arrival of such ships or vessels at any port or place in the United Kingdom, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, and whether such vessels were or were not bound to any port or place in the United Kingdom, or the Islands aforesaid, and all persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other articles whatsoever, on board any vessels so coming from or having touched at such infected place as aforesaid, or on board of any such receiving vessels or boats as aforesaid, shall be and be considered to be liable to quarantine within the meaning of the said Act, and of any order or orders which shall be made by His Majesty, his heirs or successors, by and with the advice of his or their Privy Council, concerning quarantine and the prevention of infection, from the time of the departure of such vessels from such infected place as aforesaid, or from the time when such persons, goods,

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wares, merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles shall have been received on board respectively; and that such vessels and boats as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandises, and other articles as aforesaid, whether coming or brought in such vessels or boats from such infected place as aforesaid, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the Islands aforesaid, and all persons, goods, wares, and merchandise, and other articles as aforesaid, on board such receiving vessel or boat as aforesaid, shall, upon their arrival at any such port or place, be obliged to perform quarantine in such place or places, for such time, and in such manner as shall from time to time be directed by His Majesty, his heirs or successors, by his or their order or orders in Council notified by proclamation or published in the *London Gazette*; and that until such vessels and boats, persons, goods, wares, and merchandises, and other articles as aforesaid shall have respectively performed and shall be duly discharged from quarantine, no such person, goods, wares, or merchandise, or other articles as aforesaid, or any of them, shall, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the Islands aforesaid, come or be brought on shore, or go or be put on board any other vessel or boat in order to come or be brought on shore, in any such port or place, although such vessels so coming from such infected place as aforesaid may not be bound to any port or place in the United Kingdom or the Islands aforesaid, unless in such manner and in such cases and by such licence as shall be

directed or permitted by such order or orders made by His Majesty, his heirs or successors, in Council as aforesaid; and that all such vessels and boats, whether coming from such infected place as aforesaid, or being otherwise liable to quarantine as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandise, and other articles as aforesaid, whether coming or brought in such vessels or boats, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the United Kingdom or the Islands aforesaid, and although such vessels or boats shall not be bound to any port or place in the United Kingdom or the Islands aforesaid, and that all commanders, masters, or other persons having the charge or command of any such vessels or boats, whether coming from any infected place or being otherwise liable to quarantine as aforesaid, shall be subject to all the provisions, rules, regulations, and restrictions contained in the said Act, or in any order or orders which shall be made by His Majesty, his heirs and successors, in Council as aforesaid, concerning quarantine and the prevention of infection, and to all the pains, penalties, forfeitures, and punishments contained in the said Act for any breach or disobedience thereof, or of any order or orders of His Majesty in Council made under the authority thereof.

And whereas, after reciting that certain sorts of goods and merchandise are more especially liable to retain infection, and may be brought from places infected into other countries, and from thence imported into the United Kingdom or the Islands aforesaid, it is likewise enacted, that all such goods and merchandise as shall be particularly specified for that purpose in any order or

orders made by His Majesty, his heirs or successors, in Council, concerning quarantine and the prevention of infection as aforesaid, which shall be brought or imported into any port or place in the United Kingdom or the Islands aforesaid from any foreign country or place in any vessel whatsoever, and the vessels in which the same shall be brought, and also all vessels which shall arrive from any port or place whatever under any alarming or suspicious circumstances as to infection, shall be subject and liable to such regulations and restrictions as shall be made by such order or orders of His Majesty, his heirs or successors, in Council, as aforesaid, respecting the same.

His Majesty, under the authority of the said above-recited Act, by and with the advice of his Privy Council, doth hereby adjudge and declare it probable that the plague or some other infectious disease or distemper, highly dangerous to the health of His Majesty's subjects, may be brought into the United Kingdom, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, by vessels coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, with or without clean bills of health, and also by the importation into the United Kingdom or the Islands aforesaid of certain goods, wares, and merchandises hereinafter enumerated, being the growth, produce, or manufacture of Turkey, or of any place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, from any port or place in Europe without the Streights or on the Continent of America, at which there is not a regular establishment for the performance of quarantine, which shall have been declared sufficient for that purpose by any order of His Majesty in Council, notified by procla-

Adjudication of the places from whence infectious diseases may be brought.

customs authorized to act in that behalf), and that the commanders and masters of all such vessels, by whom and with respect to which such satisfactory proof shall have been made as aforesaid, shall be examined by such superintendent or his assistant, or the principal or other officer of the customs, and shall give true answers upon oath to the preliminary quarantine questions hereinafter directed to be put to the commanders and masters of all vessels liable to perform quarantine, and shall likewise strictly conform in all respects to all such directions as they shall receive from such superintendent or his assistant, or the principal or other officer of the customs as aforesaid, as well with respect to their stay or continuance at such port and their departure from thence, and repairing to any other port or place for that purpose, as also with respect to all other orders, regulations, and restrictions touching or concerning quarantine ; and in default of making such satisfactory proof, or giving true answers to such questions, or of obeying and complying with such directions, orders, regulations, and restrictions as aforesaid, the said commanders, masters, or other persons having the charge of such vessels shall be compelled forthwith to proceed to sea with such vessels ; and the said superintendent or his assistant, or the principal or other officer of the customs, shall use all necessary means for that purpose, calling to his aid the commanders or other officers of any of His Majesty's ships of war, if their assistance shall appear to be necessary.

**Preliminary questions.**

8. And it is hereby further ordered, that where any vessel shall attempt to enter into any port or place in the United Kingdom or the islands aforesaid, whether such port or place shall have been appointed for the

performance of quarantine or not, the superintendent of quarantine or his assistant (if there shall be such superintendent or assistant at such port or place), or, if not, the principal officer of His Majesty's customs at such port or place, or such officer of the customs as shall be authorized by the Commissioners of the Customs, or any four or more of them, to act in that behalf, shall go off to such vessel, and shall, at a convenient distance from such ship or vessel, keeping to windward, demand of the commander, master, or other person having charge of such vessel answers to the following preliminary questions :—

- 1st. What is the name of the vessel, and the name of the commander or master ?
- 2nd. Are you the commander or master ? Where does she belong ?
- 3rd. From whence do you come ?
- 4th. To what place are you bound ?
- 5th. At what ports have you touched since you left the port of your lading on your homeward voyage ?
- 6th. What vessels have you had intercourse or communication with on your passage, and from whence did they come ?
- 7th. Did the plague or any other infectious disease or distemper prevail in any degree at the place from whence you sailed on your homeward voyage, or at any of the places at which you have touched ? If at any, say at which, and when ? Are any persons on board your ship suffering under any infectious disease, or have any persons died



or been ill of a disease of that nature in the homeward passage? And if any, what number? And if any have died or been ill of such disease, were their bedding and clothes destroyed?

*[If the vessel shall have sailed from any port or place in Europe without the Straits, or on the continent of America.]*

8th. Have you on board any goods enumerated in this list?

*[Handing up a list of articles enumerated.]*

If you have, specify the same, and whether they are of the growth, produce, or manufacture of Turkey, or of any place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, or of what other place. Have you any declaration to prove of what place they are the growth, produce, or manufacture?

*[If the vessel comes from the Mediterranean, or from any other place respecting which there is any Order in Council in force concerning quarantine.]*

9th. Have you any, and what bill of health?

10th. What number of officers, mariners, and passengers have you on board?

*[And in cases of vessels coming from or having touched at any port or place on the continent of America, or the islands adjacent thereto, or coming from or having touched at any ports in the West Indies, the following questions are to be put in addition to the aforesaid questions.]*

- 11th. In the course of your voyage have any persons on board suffered from sickness of any kind; what was the nature of such sickness, and when did it prevail? How many persons were affected by it, and have any of them died in the course of the voyage?
- 12th. How long after sailing from your port of lading or having touched at any port on the continent of America, or the islands adjacent thereto, or any of the ports in the West Indies, was the first appearance of disease observed?
- 13th. How had the persons attacked been employed before they came on board?
- 14th. Had they been employed in loading or unloading the vessel before she left the port?
- 15th. Had the place which they inhabited before they sailed the reputation of being healthy; or was it subject particularly to the fever incident to the country?
- 16th. Had the fever been frequent in the place before the vessel sailed?
- 17th. Did the persons who were ill on board your vessel fall sick nearly about the same time, or within a few days of each other; or did the disorder spread successively from one to another, and increase considerably; or did it abate gradually, and cease to multiply, as the distance from the ports you sailed from or touched at as aforesaid increased?
- 18th. What was the greatest number of persons ill at the most sickly period of your voyage?

- 19th. What were the whole number of persons on board your vessel when you sailed?
- 20th. What is the whole number of persons now ill on board your vessel?
- 21st. Can you state what were the symptoms of illness with which your crew were first attacked, and what was the daily succession and change in them till their death?
- 22nd. Whether any and what medicines have been used, and what methods have been adopted to prevent its spreading among the crew?
- 23rd. Whether attention has been paid to cleanliness and ventilation on board your vessel?
- 24th. When did you sail from the port or place from whence you took on board your outward cargo, and at what place did you touch before you arrived at the port or place where you took in your present cargo?
- 25th. Did you carry any bill of health with you to the port or place where you took in the cargo you have now on board? From what place? Were the said bills of health clean, unclean, or suspected?

And such commander, master, or other person having charge of such vessel shall, upon such demand, give a true answer to such questions, in writing or otherwise, and upon oath, or not upon oath,<sup>33</sup> according as he shall be required by such superintendent or his assistant, or principal officer or other officer of the customs authorized as aforesaid, under such pains and penalties as are inflicted by the said hereinbefore recited Act.

<sup>33</sup> For forms of declaration in each case, *see post*, p. 115.

And if it shall appear, by the answers so given to the said questions, that the said vessel is liable to quarantine, the said commander, master, or other person having the charge or command thereof shall be directed to repair, and shall repair forthwith with such vessel to the proper place appointed in that behalf for the performance of quarantine, and shall not be permitted to remain in or enter into any port or place, other than the port or place so appointed as aforesaid, unless compelled by stress of weather, damage, loss, or other injury unavoidably occasioned to the vessel by the perils of the seas, which stress of weather, damage, loss, or other injury, and that the said damage, loss, or other injury was unavoidable and not wilfully or intentionally done or occasioned, shall be made appear by the oath and examination of such commander or master, and of the pilot (if any) on board, to the satisfaction of the superintendent or his assistant, or of the principal or other officer of the customs authorized as aforesaid, at the port or place in which he shall be so detained, or into which he shall be so compelled to enter as aforesaid; in default of which satisfactory proof, or when the cause of such vessel so coming in as aforesaid shall no longer exist, such superintendent, assistant, principal or other officer of the customs authorized as aforesaid shall direct, and (if necessary) compel, such vessel to repair to the proper place appointed in that behalf for the performance of quarantine, and shall use all necessary means for that purpose.

9. And it is hereby further ordered, that on the arrival of any vessel liable to quarantine in any port or place hereby appointed for the performance of quarantine, the superintendent of quarantine or his assistant, or, in

Questions  
on arrival  
in quaran-  
tine.

case of such superintendent and his assistant being otherwise necessarily engaged, the principal officer of His Majesty's customs at such port or place, or such officer of the customs as shall be duly authorized to act in that behalf (together with the medical attendant, in such cases as shall be thought to require his assistance), shall go alongside such vessel in a boat (keeping to windward), and shall see the officers, crew, and all other persons belonging to or being on board such vessel mustered on the gangway, and the superintendent of quarantine or his assistant, or such principal or other officer of the customs authorized as aforesaid, shall then and there, in the presence of the crew, put the following questions to the commander, master, or other person having charge of the vessel :—

- 1st. What is the name of the vessel, and the name of her commander or master ?
- 2nd. Are you the commander or master ?
- 3rd. To what port or place does she belong ?
- 4th. When did you sail from the port or place from whence you took on board your outward cargo, and at what place did you touch before you arrived at the port or place where you took in your present cargo ?
- 5th. Did you carry any bill or bills of health with you to the port or place where you took in the cargo you have now on board ? From what places ? Were the said bills of health clean, unclean, or suspected ?
- 6th. From what port or place does she now come ? When did you sail from such port or place,

and at what place or places have you touched in the course of the voyage?

- 7th. Have you any bill or bills of health on board? From what place or places? Are the same clean, unclean, or suspected? Produce them.

*[If the vessel shall have sailed from any port or place in Europe without the Straits or on the continent of America.]*

- 8th. Of what articles does your cargo consist? Have you on board any goods enumerated in this list?

*[Handing up a list of articles enumerated.]*

If you have, specify the same, and whether they are of the growth, produce, or manufacture of Turkey, or of any place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, or of what other place. Have you any declaration to prove of what place they are the growth, produce, or manufacture?

- 9th. At what place or places was the cargo, or any part thereof, taken on board? On what day did you arrive at the place or places where you took in the whole, or any and what part of the cargo? And on what day did you sail from such place or places, and what part of your cargo was taken in at each place, and when?

- 10th. Did the plague or any other infectious disease or distemper prevail in any degree at the places from whence you sailed, or at any of the places at which your cargo was taken on

- board, or at which you touched? If at any, say at which, and when.
- 11th. Did you hear of any report, or are you aware of any suspicion having existed at the time of your sailing, that the plague or any other infectious disease prevailed at the place from whence you sailed, or at any other place in the Mediterranean (or in America or the West Indies, as the case may be)?
- 12th. What number of officers, mariners, passengers, or other persons have you on board? Describe the number of each.
- 13th. At what port did you take on board your passengers?
- 14th. Were they residents at that place, or had they been embarked as passengers on board any other vessel from any other places, and from what places, and at what time?
- 15th. Do the said officers, mariners, passengers, and other persons consist of the same individuals as were on board at the port from which you sailed upon your homeward voyage? If any other persons have been taken on board, or if any of your officers, crew, or passengers have quitted your vessel since you sailed from such port, or before your arrival at this place, or if any other alterations in that respect have taken place, specify the same, the causes, and the time or times of such alterations.
- 16th. What number of persons (if any) have died on board during the voyage outwards or homewards, or at any port at which you have

touched? When and in what part of the voyage did such person or persons die? Of what disease or distemper?

17th. Have any of your officers, mariners, or other persons of your crew who sailed with you on your outward voyage died or left the vessel?

18th. In the course of your voyage outwards or homeward, or at any port at which you have touched, have any persons on board suffered from sickness of any kind? What was the nature of such sickness? When did it prevail? How many persons were affected by it? Are there any convalescents on board? Or are all persons on board at present in good health?

19th. Were any of those who died, or who have been sick in the course of the voyage, or at any port at which you have touched, affected or suspected to have been affected by any infectious disease or distemper? Were the bedding and clothes of such diseased and sick persons destroyed? If so, when and in what manner? Were any of the persons immediately employed about the sick afterwards taken ill? If so, of what disease, and in how many days after having been so employed?

20th. At what precise time did such deaths happen? In how many days after being indisposed did the sick die? What were the most obvious appearances of the disease?

21st. Have you spoken to or otherwise had any com-



munication with any vessels at sea during the voyage? What were the names of such vessels, and to what country, port, or place did they belong? From what ports or places were they coming, or at what ports or places had they touched on their voyage, and to what country, ports, or places were they bound? What was the nature of the communication held? What do you know respecting the state of health on board such vessel?

- 22nd. Have there been any letters, parcels, or other articles delivered out of or received into your vessel from any vessel or boat met with on the voyage, or before or since your arrival at this place; and what were such letters, parcels, or articles, and where were the same delivered or received, and into or out of what vessel or boat?
- 23rd. Have you any packages or parcels which you have taken charge of? If so, what are their contents, and when and where did you take them on board?
- 24th. What pilots or other persons from the shores of the United Kingdom, or from the islands of Scilly, Guernsey, Jersey, Alderney, Sark, or Man have been or are now on board your vessel, or have had any communication whatever with the ship's company or any of the passengers during the voyage homewards, or before or since your arrival at this place? If any such pilots or other persons have come on board and have afterwards quitted your

vessel, specify the names of such persons, and the time, manner, and circumstances of their so quitting your vessel.

- 25th. Did you leave any British vessels at any of the ports you sailed from? If you did, mention their names and the names of the commanders.
- 26th. Were such vessels loading, were they near their departure, and whither were they bound?
- 27th. Did you meet with any British vessels at any of the places you touched at? If you did, say when, where, and what were the names and destinations of such vessels, and to what ports or places did they belong.
- 28th. Do you know whether any foreign vessels loading at the port from which you sailed were bound beyond the Streights of Gibraltar? And, if so, what were they, and whither were they bound?
- 29th. Do you know whether any person whatever employed in loading your vessel, or in bringing any articles into it, or having any communication on board thereof, was taken ill during such employment or communication; or whether, by the absence of such person or persons in the course of such employment, any suspicion was entertained of their having been taken ill? If so, of what disease?
- 30th. Do you know whether or not your cargo, or any part thereof, had been long in warehouse before its being taken on board? If you do, say how long. Have you any knowledge of its being packed or handled on shore, or conveyed from shore, or stowed on board

by persons affected with the plague or any other infectious disease or distemper?

**Answers to  
be taken in  
writing.**

10. And it is further ordered, that the answers to the aforesaid questions shall be taken down in writing, and the commander, master, or other person having the charge of such vessel shall solemnly make oath<sup>24</sup> to the truth thereof before the superintendent of quarantine or his assistant, or the principal or other officer of the customs authorized as aforesaid (as the case may be); and such superintendent of quarantine or his assistant or such principal or other officer of the customs as aforesaid (with the advice of the medical attendant, if such advice shall be judged necessary), shall, according to the answers returned to the questions hereinbefore set forth, then appoint a proper place or station for such commander, master, or other person having the charge of such vessel to repair to with such vessel, who thereupon shall, as soon as possible, after having answered the foregoing questions, repair with such vessel to such place or station, where the said vessel shall be forthwith placed, and shall there perform quarantine accordingly; the said commander or master or other person having the charge of such vessel carrying with him the log book, manifest, and all the ship's papers, all of which he shall there deliver to the superintendent of quarantine or his assistant, or to the principal or other officer of the customs authorized as aforesaid (as the case may be), the said log book, manifest, and papers having been first immersed in vinegar and fumigated; and such commander, master, or other person having the charge of such vessel shall there solemnly make oath to the truth of the contents of such

<sup>24</sup> For form of declaration, *see post*, p. 110.

log book, to the best of his recollection and belief, or shall state and specify upon oath in what particulars alone the same or any part thereof is false and incorrect, and whether every particular entry therein was made as soon after the fact as possible, and if not, for what reason it was delayed, and when it was made, and also to the truth of all the other ship's papers, before such superintendent or his assistant, or the principal or other officer of the customs authorized as aforesaid, and shall obey and conform to all such directions as he shall then receive touching the performance of quarantine from such superintendent or his assistant, or the principal or other officer of the customs authorized as aforesaid.

11. And it is hereby further ordered, that in the case of vessels liable to quarantine arriving at any of the ports of the United Kingdom or islands aforesaid, if any suspicious circumstances shall appear in the answers returned to the said questions by the commander or master or other person having charge of any such vessel, or from any other circumstances, the proper officer of the customs at such port or island shall immediately transmit such answers, and give notice of the cause of such suspicion to the Lords of His Majesty's Most Honourable Privy Council and the Commissioners of His Majesty's Customs, and shall, without regard to the bill of health, whether clean or otherwise, order such vessel to a station distant from all other vessels in the same port or place, and put her under special guard, in order the more effectually to prevent all communication therewith.

12. And it is hereby further ordered, that all vessels liable to quarantine as aforesaid, and being furnished with clean bills of health, as well as the crews and

*If suspicious circumstances appear.*

*Vessels with clean bills of health.*

passengers on board the same, shall perform a quarantine of fifteen days, in the manner heretofore practised ; which quarantine shall commence from the time when such part of the cargo, if any, as is hereinafter enumerated, shall have been delivered into a floating lazaret in Standgate Creek or Milford Haven, in case the ship or vessel shall perform quarantine in Standgate Creek or Milford Haven ;<sup>35</sup> or into the lighters, or other proper vessels appointed for that purpose, in case the vessel shall perform quarantine at any of the places hereinbefore appointed for the performance thereof by vessels bound to any of the outports or islands aforesaid ; but in cases where no part of the cargo shall consist of such enumerated goods, then such quarantine of fifteen days shall commence on the day on which the master or other person having charge of such vessel shall have arrived with such vessel at the station so appointed as aforesaid.

**Quarantine for goods from Mediterranean.**

13. And it is hereby further ordered, with respect to all goods, wares, and merchandises coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, in vessels furnished with clean bills of health, that all such goods, wares, and merchandises, other than such as are hereinafter enumerated, shall be aired and treated on board the vessel in which they shall arrive according to the manner heretofore practised respecting such goods imported in vessels furnished with clean bills of health, and shall continue to be so treated for and during the space of one week ; and all such goods, wares, and merchandises as are hereinafter enumerated, so coming in vessels with clean bills of health, shall be removed from the vessel to the place appointed for that purpose, and shall be aired and treated in the manner

<sup>35</sup> See note *ante*, p. 61.

heretofore practised with regard to such goods, wares, and merchandises, and shall continue to be so treated for and during the space of fifteen days.

14. And it is hereby further ordered, with respect to all goods, wares, and merchandises, and other articles as aforesaid, brought or imported in vessels not having the plague or other infectious disease or distemper as aforesaid actually on board, and which may arrive in any of the ports of the United Kingdom or the islands aforesaid, coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, not being furnished with clean bills of health, that such goods, wares, and merchandise, and other articles as aforesaid (such vessel having first repaired to Standgate Creek or Milford Haven, as hereinbefore directed), shall perform quarantine in a floating lazaret, either at Standgate Creek or Milford Haven, and nowhere else, in the manner and for the time hereinafter mentioned.

**Goods im-  
ported in  
vessels  
without  
clean bills.**

15. And it is hereby further ordered, that immediately after the commander, master, or other person having charge of every such vessel so arriving with a foul bill of health, or on board of which infection shall have appeared, shall have undergone the examination hereinbefore directed, and shall have arrived with his vessel at the station so appointed as aforesaid, two quarantine guardians shall be placed on board such vessel by the superintendent of quarantine or his assistant.

**Quaran-  
tine guar-  
dians.**

16. And it is hereby further ordered, that all persons on board any vessel under quarantine may be permitted to have communication with others by letters, under the following regulations and restrictions; viz.—

**Communi-  
cation by  
letter.**

An officer appointed by the superintendent of quarantine shall daily, at a fixed hour, go round the different

lazarets and vessels in quarantine to receive letters, the usual precaution of dipping such letters in vinegar, and putting them into the fumigating box, being always first observed; and such letters shall remain in the fumigating box until such time as the superintendent shall give directions for taking them out to be forwarded, and no person, except the said superintendent of quarantine or his assistant, or one of the guardians on board the vessel, shall be permitted to deliver such letters from such fumigating box; and the said persons so hereby authorized to deliver the same shall take care, where several letters or papers are enclosed together, to slit open the covers in manner practised in the lazarets of the Mediterranean; and all letters to such persons so under quarantine shall be delivered to the superintendent or his assistant, and shall be distributed by him, or according to his directions; and no communication or conference shall be had by persons not under quarantine with persons so under quarantine, except by permission, or in the presence of the superintendent or his assistant, and under such regulations and restrictions as shall be directed by the said superintendent.

Provided always, that the medical attendant and superintendent, or his assistant, or any other person duly authorized by an Order in Council, may go on board any vessel under quarantine, without such medical attendant or superintendent, or his assistant, being in any way subject to the restraint of quarantine.

**Boats to be removed.** 17. And it is hereby further ordered, that a night watch shall be regularly kept, and a sufficient number of guard boats and officers shall be appointed, for the purpose of preventing all clandestine communications with persons under quarantine; and all the boats belonging

to vessels under quarantine, either at Standgate Creek, Milford Haven, or at the other outports, shall be taken from them, and no use made of such boats, except for the purpose of carrying goods to the lazaret, or upon occasions of necessity, such necessity to be determined by the superintendent of quarantine ; and such boats shall not be delivered up to the commanders or masters of such vessels until the expiration of the quarantine to be respectively performed by them.

18. And it is hereby further ordered, that the superintendent of quarantine, or his assistant, or some other proper person appointed by the superintendent, shall, as often as required, afford assistance and provide necessities for the persons under quarantine, taking care to allow of no improper communication with the persons employed for that purpose ; which persons shall always place their boats to windward, and shall deliver, by means of buckets, the articles supplied by them.

**Assistance  
for persons  
under qua-  
rantine.**

19. And it is hereby further ordered, that the quarantine guardians who shall be placed on board vessels shall be instructed to take especial care that nothing whatever be delivered from on board such vessels when under quarantine, without an order in writing from the superintendent or his assistant, every such order to be entered in a book by one of the said guardians, and the original to be delivered back to the superintendent or his assistant ; and nothing, however little susceptible it may be thought to be of infection, shall be conveyed from one vessel under quarantine to another, nor any personal intercourse be permitted from any such vessel to another ; and one of the quarantine guardians, when thereto required by the superintendent of quarantine or his assistant, shall accompany the lighters and boats

**Nothing to  
be delivered  
from on  
board ex-  
cept &c.**



which shall be employed in passing to or from the vessel on board of which such guardians are placed, during the passage of such lighters and boats to and from such vessel, in order to prevent any communication in the transit of the cargo from the vessel to any floating lazaret, and shall take care, after every removal of goods, that no remnants of cotton, or of any other enumerated article, remain in the lighters or the boats, but shall, before leaving off work, collect and deliver such remnants into the lazaret with the last package which they shall then carry from the said vessel.

20. And it is hereby further ordered, that the said guardians shall take care that, after the discharge of the cargoes into the lazaret, the holds and between-decks of the vessels shall be completely swept and the sweepings burnt.

**Guardians  
to search  
vessels.**

21. And it is hereby further ordered, that the said guardians shall diligently search the lockers, chests, and other repositories of the officers, passengers, and crews, and every part of the vessels, so that no article so enumerated, nor any matter or thing considered as susceptible of infection, remain undelivered to the lazaret, unless what shall be declared by the said superintendent, or medical attendant, to be requisite for daily use, and shall see that all the said chests, lockers, and other repositories, and all the clothes and bedding in the vessel, be daily opened and aired in such manner as shall be directed by the superintendent of quarantine.

**And to  
make a  
daily re-  
port.**

22. And it is hereby further ordered, that one of the said guardians shall make a daily report to the superintendent of quarantine or his assistant, and to the medical attendant, of the state of health of every person on board, and whether the regulations of quarantine

have been properly complied with ; and in case any impediment shall occur in the execution of the duties required of the said guardians, they shall give notice immediately to the commander, master, or other person having charge of the vessel in the first instance ; and if thereupon such impediment be not instantly removed, they shall then give notice thereof to the superintendent of quarantine or his assistant, who shall take care to use effectual means for the removal of the same.

23. And it is hereby further ordered, that if any person on board shall fall sick, and any medical person shall be on board the vessel, such medical person shall confer with the medical attendant alongside the vessel, the medical attendant keeping to windward, at a distance of not less than ten feet, and in case there shall be no medical person on board, and it shall be necessary for the medical attendant to inspect the sick, the visits shall be made at the ship's boat by the medical attendant in his own boat, keeping to windward at the like distance of not less than ten feet ; and if any patient, after being examined in the manner before mentioned, shall be found to require such medical or chirurgical aid as cannot properly be administered except in the hospital ship, he shall be removed to such hospital ship. **Sickness on board.**

24. And it is hereby further ordered, that in case any pestilential disorder shall actually discover itself on board any vessel, or among any of the persons under quarantine, the person or persons affected with such disorder shall be removed with all possible care and despatch, under the special direction of the superintendent of quarantine and medical attendant, to the hospital ship, and proper attendants shall be assigned to such patient or patients by the superintendent of quaran- **Persons infected to be removed.**

tine, with the advice of the medical assistant, and such patient or patients shall be visited at a due distance by the said medical attendant ; and in case nearer approach shall be required, some persons shall be specially appointed by the medical attendant for that purpose.

**Medical assistance from shore.**

25. And it is hereby further ordered, that the passengers and crew of any vessel under quarantine may have the assistance of any medical persons they may desire from the shore, subject to the official visits of the medical attendant, and to such regulations and restrictions as the superintendent of quarantine, with the advice of such medical attendant, shall judge necessary, but all such medical persons, as well as all others, if they communicate by contact with the sick, shall perform the same quarantine as the sick persons themselves.

**Pilot's quarantine.**

26. And it is hereby further ordered, that after the quarantine guardians shall have been placed on board any vessel, the pilot may quit such vessel and be removed to the hospital ship, and continue under quarantine until the probationary airing of the goods, wares, and merchandise, as hereinafter directed, shall be finished, and at the expiration of such probationary airing such pilot, if he continue free from infection, shall be fumigated and discharged from quarantine : Provided always, that during the performance of such quarantine such pilot shall not have communication with any other person, except under similar restrictions to those herein directed with regard to other persons under quarantine.

**When quarantine to recommence.**

27. Provided always, that in case any pestilential accident shall occur among the crew, passengers, or other persons on board any vessel during the probationary airing of the goods, at whatever stage of the quarantine such accident may happen, the quarantine of all the

crew, passengers, and other persons, and of the pilot (if there shall be a pilot at that time liable to quarantine in respect of his having been on board such vessel), as well as of the goods, wares, and merchandises, shall recommence, and the sick persons shall be sent to the hospital ship, the external guard shall be immediately doubled, and notice of such accident shall be given, with all possible despatch, to the Lords of His Majesty's Privy Council, that they may give such orders thereupon as may appear to them to be necessary.

28. And for the better guarding against the introduction of the plague into the United Kingdom, it is hereby ordered, that in the event of the plague actually appearing on board any vessel on her voyage to any port in the United Kingdom, she shall immediately, if to the southward of Cape St. Vincent, repair to some lazaretto in the Mediterranean, there to perform quarantine, and if to the northward of Cape St. Vincent, she shall immediately repair to Milford Haven, there to perform quarantine.

**Vessels  
with  
plague on  
board,  
where to  
resort to.**

29. And it is hereby further ordered, that the baggage, wearing apparel, books, and every other article belonging to any other person on board any vessel arriving as above mentioned with a foul bill of health, or on board of which infection shall have appeared, for which they shall have no immediate occasion, shall be sent to the lazaret for the purpose of being aired in like manner as other goods of the same description; and before any of the passengers or crew shall be discharged from quarantine, they, their clothes, and other effects which have remained with them, shall be fumigated.

**Baggage,  
&c.**

30. And it is hereby further ordered, that immediately after the pilot, and such of the passengers and crew of

**Probation-  
ary airing.**

the vessels so arriving with foul bills of health, as may be permitted or directed to perform quarantine, as hereinbefore mentioned, shall have quitted the vessel in which they shall have arrived, the hatches of such vessel shall be opened, and the probationary airing of the cargo shall commence, which probationary airing<sup>36</sup> shall be in the following manner, viz. :—

Such a number of bales of the enumerated goods, wares, and merchandises hereinafter stated as can be ranged upon deck shall be taken from the hold, and the seams at one or both ends being ripped open, the contents shall be handled as much as possible by the sailors in presence of one of the guardians, and under this process of handling and turning such bales shall remain exposed to the air for six days, and on the subsequent day shall be put into a condition to be, and shall accordingly be, delivered to the lighter appointed to transport them to the floating lazaret; and as soon as the deck is cleared of the first parcel of goods a second parcel shall be hoisted up and treated in like manner for the space of three days, and on the subsequent day shall in like manner be put into such condition, and shall be so delivered as aforesaid; after which a third parcel shall be hoisted up and treated in the same manner also for the space of three days, and on the subsequent day shall in like manner be put into such condition and shall be so delivered; but in case of any suspicious circumstances arising, the probationary airings shall be extended to eight, six, and four days, making, with the three intermediate days, twenty-one days in the whole, or even to a greater length of time if circumstances shall require.

<sup>36</sup> This method of purification has been very considerably improved upon since the date of this Order.

31. And it is hereby further ordered, that if the goods, wares, and merchandises, which shall arrive in vessels with foul bills of health, the articles hereinafter enumerated shall be carried to a floating lazaret in Standgate Creek, or at Milford Haven, there to be unpacked, opened, and aired for the space of forty days, viz :—

List of  
goods to be  
carried to  
a lazaret,  
and aired  
for forty  
days.

Apparel of all kinds.  
Artificial flowers.  
Bast, or any article made thereof.  
Beads, bracelets, or necklaces, in strings.  
Beds.  
Bed ticks.  
Books.  
Brooms of all sorts.  
Brushes of all sorts.  
Burdetts.  
Camblets.  
Canvas.  
Carmenia wool.  
Carpets.  
Cordage not tarred.  
Cotton wool.  
Cotton yarn.  
Cotton thread.  
All articles wholly made or mixed with cotton, silk, wool, thread, or yarn.  
Down.  
Feathers.

Flax.  
Furriers' waste.  
Goats' hair.  
Gold or silver on thread, cotton, hair, wool, or silk, or any other substance hereinbefore enumerated.  
Grogam.  
Hats, caps, or bonnets of straw, chip, cane, or any other material.  
Hemp.  
Hoofs.  
Horn and horn tips.  
Hair of all sorts.  
Leather.  
Linen.  
Lute strings, catlings, or harp strings.  
Maps.  
Mattresses.  
Mats and matting.  
Mohair yarn.  
Nets, new or old.

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Paper.	Skins, hides, and furs, and
Packthread.	parts or pieces of skins,
Parchment.	hides, and furs, whether
Pelts.	undressed, or in part or
Plattings of bast, chip,	wholly tanned, tawed, or
cane, straw, or horsehair.	dressed.
Quills.	Sponges.
Rags.	Straw, or any article made
Sails and sailcloth.	or mixed with straw.
Silks, viz. :	Stockings of all sorts.
Crapes and tiffanies.	Thread.
Husks and knubs.	Tow.
Raw silk.	Vellum.
Thrown and organzine	Whisks.
silk.	Wool, whether raw or any-
Waste silk.	wise wrought.
Wrought silk.	Yarn of all sorts.

And all other goods whatever, if they shall have arrived in or with packages, consisting wholly or in part of any of the articles above enumerated in this class, unless such goods shall be removed from such packages as hereinafter mentioned.

32. And it is hereby further ordered, that the expurgation of the goods, wares, and merchandises enumerated as before mentioned, after they have been removed to the floating lazaret, shall proceed in the following manner; that is to say,—

All bales of cotton shall be opened from one end to the other, and so much taken out as to leave room for handling daily the interior of the bale. The following articles, viz. :—

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Rags,	Carmenia wool, and
Raw wool,	Hair,
Goats' wool,	

shall be taken out of the bags or bales, and shall be ranged in low heaps, not above four feet high, and successively handled and rummaged.

All bales of raw silk, silk stracee (or refuse), and silk thrown, shall be opened on one side from end to end, the cords loosened, and way made, by removing a number of skeins, for the porters to handle the interior of the bales; and at the expiration of twenty days, that side of the bale which has been opened being resewed the other side shall be ripped open, and the contents handled and aired in the like manner till the thirty-fifth day, when the bales shall be put in order for delivery.

All packages of cotton, of yarn, of thread, of silk stuffs, of cotton stuffs, or burdetts, of camblets, and of linen shall be opened, and the piece goods piled in rows, lattice fashion, or in pyramids, turned every four days, and completely spread out and suspended on cords for several days.

Cases of paper, books, parchment, cases of sponges, and silk and thread stockings shall be entirely unpacked, and the smaller parcels separated from each other, and so disposed as to admit of thorough airing :

Feathers,	Coral beads in string,
Straw hats,	Brushes,
Artificial flowers,	

shall be spread out in the same manner :

Carpets,	Hides and skins,
Furs,	



shall be unbaled ; and each piece shall be spread and suspended on cords, sometimes in the open air, and frequently turned.

All goods packed in or with straw, cotton, or any other enumerated article, or considered as susceptible, shall be entirely taken out of or separated from the same, and carefully aired.

All goods enumerated above, concerning the expurgation of which no particular directions have been hereinbefore given, shall be unpacked, opened, aired, and handled in like manner, so far as may be, as is hereinbefore directed with regard to goods of a similar description.

**Method of  
treating  
goods not  
in fore-  
going list.**

33. And it is hereby further ordered, that after the delivery of all the goods, wares, and merchandises enumerated as before mentioned, into a floating lazaret, the vessel, with the rest of the cargo, shall then commence and perform quarantine of thirty days, during which the packages of the goods, wares, or merchandises not enumerated remaining on board such ship or vessel shall be frequently swept and shifted, and moved from time to time as much as possible, according to the nature thereof, so as to admit of free ventilation ; and at the expiration of the said thirty days, if all persons on board continue free from every appearance of infection, the vessel, and such part of the crew, passengers, and cargo as shall have remained on board, shall be finally fumigated and discharged.

34. Provided always, that if all the persons on board remain in health, dried fruits having been shifted from baskets or other packages made of articles enumerated or considered as susceptible, when such dried fruits shall have been imported in such packages, may be delivered

in twenty days ; dried fruits in packages of wood in ten days ; barrels of oil, the bungs being first tarred, and the barrels brushed, and then thoroughly washed in seawater, in ten days ; grain, pulse, and other seed, in bulk, on the eleventh day, after having been passed through an iron grating, in order to detect any susceptible matter that may be mixed therewith ; grain, pulse, and other seeds in sacks, or in casks or baskets of rush mat, being shifted into fresh sacks or packages in like manner on the eleventh day, being likewise passed through an iron grating ; but in all cases where any goods, wares, or merchandises shall have been shifted from such susceptible packages as aforesaid into fresh packages, the said susceptible packages shall be sent to the lazaret to perform quarantine, according to the nature thereof, or shall be destroyed, or shall be dipped into the sea, and then remain on board the importing vessel till the expiration of the quarantine, at the option of the importer.

35. And it is hereby further ordered, that the quarantine of all goods, wares, and merchandises (as well such as are directed to be left in as such as are to be removed from the vessel), in cases where the cargo shall consist partly of enumerated articles and partly of non-enumerated articles, shall commence and be computed from the day on which the whole of the enumerated articles shall have been removed from the vessel importing the same, to be opened and aired in the manner before directed (except as hereinbefore particularly excepted).

36. And it is hereby further ordered, that the quarantine of thirty days to be performed by all vessels arriving without clean bills of health, but with cargoes wholly

consisting of articles considered as not susceptible of infection, and not enumerated, shall commence and be computed from the day on which the Quarantine Guardians shall be put on board.

**Goods coming in vessels with suspected bills.**

37. And it is hereby further ordered, that all vessels and all persons, goods, wares, and merchandises on board thereof, arriving with suspected bills of health (commonly called touched patents or bills), shall respectively perform quarantine, and be treated in the same manner as above directed concerning vessels arriving with foul bills of health, and persons, goods, wares, and merchandises arriving in such vessels, except only that such vessels, persons, goods, wares, and merchandises so arriving with suspected bills of health, shall respectively be subject to ten days less quarantine.

**Quarantine of goods in above list brought from any place in Europe without the Straits or America. Declaration concerning same.**

38. And it is hereby further ordered, that with respect to all vessels, whatsoever, having on board any of the articles enumerated as before stated, and intending to import the same into any port or place in the United Kingdom, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, from any port or place in Europe without the Straights, or on the continent of America, at which there is not a regular establishment for the performance of quarantine, declared sufficient by His Majesty in Council as aforesaid, the master or other person having charge of every such vessel is hereby required to bring with him a declaration made by the owner, proprietor, shipper, or consignee of such vessel, or of the goods, wares, and merchandises enumerated as aforesaid on board the same respectively, upon oath before some magistrate of the port or place from whence such master or other person having the charge or command of such vessel shall have brought the said goods, wares, and merchandises, and

attested by such magistrate, and also by the British Consul or Vice-Consul, or in case there shall be no British Consul or Vice-Consul there, then by two known British merchants; in which declaration it shall be stated, either negatively, that the said enumerated goods, wares, and merchandises are not of the growth, produce, or manufacture of Turkey, or of any place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, or affirmatively, of what place they are the growth, produce, or manufacture; and if they are of the growth, produce, or manufacture of any of the countries last mentioned, then it shall be stated in such declaration whether the said vessel is or is not the same in which the enumerated goods, wares, and merchandises so imported were brought from Turkey, or from any of the countries last mentioned; and in case the vessel is the same, the master or other person having the charge or command of such vessel is hereby required to bring with him the bill or bills of health granted at the port where any such goods were originally taken on board, or copies thereof attested by a notary public; and if the vessel having on board such goods, wares, and merchandises, shall be other than that in which they were imported into any port or place in Europe without the Streights, or the continent of America, at which there is not a regular establishment for the performance of quarantine declared sufficient by His Majesty in Council as aforesaid, the master or other person having the charge of such vessel is hereby required to bring with him a declaration made and attested in like manner as the declaration before mentioned, in which it shall be stated whether the said enumerated goods, wares, and merchandises were im-

See pp. 118-119.

ported into the ports of the countries last mentioned in a vessel with or without a clean bill of health ; and such master or other person having the charge of any such vessel, if the same shall be bound to the port of London or to the river of Thames or Medway, shall forthwith produce such declaration or declarations (as the case may be) to the superintendent of quarantine or his assistant at Standgate Creek, or, if the same shall be bound to any of the outports or islands aforesaid, to the superintendent of quarantine or his assistant, or to the principal or other officer of the customs authorized to act in that behalf at such outport or place ; and if it shall appear that none of the said enumerated goods, wares, or merchandises on board such vessel are of the growth, produce, or manufacture of Turkey, or of any place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, such vessel importing the same shall not be obliged to perform quarantine, but shall, on production of such declaration to the superintendent or his assistant, or to the principal or other officer of the customs as aforesaid, be admitted to an entry in the usual and legal manner ; but if it shall appear that such enumerated goods, wares, or merchandises, or any part thereof, are of the growth, produce, or manufacture of any of the countries last mentioned, or if no such declaration shall be produced by the master or other person having the charge of such vessel as aforesaid, then the superintendent of quarantine or his assistant, or the principal or other officer of the customs authorized to act in that behalf as aforesaid, at the port or place at which such vessel shall arrive, as the case may be, shall take care that every such vessel, as well as the officers, crew, passengers, and the entire

cargo on board the same, shall perform quarantine, according to the nature of the case, at such and the same places as are hereinbefore appointed for the performance of quarantine, for the same time and in the same manner as vessels, their officers, crews, passengers, and cargoes coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, with clean bills of health, are hereinbefore respectively required to perform quarantine.

Provided always, that if the master or other person having charge of any vessel coming from any port or place whatever, at which there is no regular establishment of quarantine declared sufficient by His Majesty in Council, shall bring with him a declaration on oath, made by the owner, proprietor, shipper, or consignee of such vessel, or of the goods, wares, and merchandises on board thereof respectively, before the British Consul or Vice-Consul residing at or near such port or place, to the same purport and effect as aforesaid, that then and in such case the declaration, so made as last aforesaid, shall have the like force and effect to all intents and purposes whatever, as if attested and sworn before a magistrate in manner aforesaid.

39. And it is hereby furthered ordered, that all vessels arriving in the ports of the United Kingdom, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, having come from the Mediterranean, or from the West Barbary on the Atlantic Ocean, which, with their officers, crews, passengers, and cargoes, shall have previously performed quarantine in the lazaret of Malta, Ancona, Venice, Messina, Leghorn, Genoa, Trieste, or Marseilles, shall upon their arrival be put under quarantine in some of the ports or places hereinbefore appointed for the

Same goods brought from any place where no quarantine establishment exists. Declaration concerning them.

Vessels which have performed quarantine in the Mediterranean, &c.

performance of quarantine, until the commander, master, or other person having the charge of such vessel shall have produced to the superintendent of quarantine or his assistant, or to the principal or other officer of the customs authorized to act in that behalf, the proper documents to prove that such vessel and the officers, crew, passengers, and cargo on board the same, have duly performed quarantine in one of the lazarets last mentioned, and upon so producing such documents the said vessel shall not be obliged to perform quarantine, but shall, together with the goods, wares, and merchandises on board thereof, remain at such quarantine station until duly released by Order in Council.

Printed  
abstract  
of quaran-  
tine regu-  
lations.

40. And it is hereby further ordered, that all masters or other persons having the charge of any vessels clearing outwards from any port or place in the United Kingdom, or the islands aforesaid, for any port or place in the Mediterranean, or in the West Barbary on the Atlantic Ocean, or for any port or place respecting which there shall at the time of such clearing out be any Order of His Majesty in Council in force, subjecting vessels coming from thence to quarantine, shall receive from the principal officers of the customs at such port or place a printed paper containing an abstract of such quarantine regulations<sup>37</sup> as shall be thought necessary to be most generally notified and observed by such masters, their officers, crews, and passengers on board ; and every such master or other person having charge of any such vessel shall cause the said printed paper to be affixed on some convenient and conspicuous part of his said vessel, and there to remain so affixed until the return of his said vessel to some port or place in the United Kingdom,

<sup>37</sup> See *post*, p. 122.

or the islands aforesaid, provided the said vessel shall return to the United Kingdom, or the islands aforesaid, within twelve months.

41. And it is hereby further ordered, that every commander, master, or other person having the charge or command of any vessel about to sail from any port or place in the United Kingdom, or the islands aforesaid, for any port or place in the Mediterranean, or in the West Barbary on the Atlantic Ocean, or for any port or place respecting which there shall, at the time of such clearing out, be an Order of His Majesty in Council in force, subjecting vessels coming from thence to quarantine, shall, before his departure, provide and take on board one or more of the quarantine signal flags and lanthorns, directed by the hereinbefore recited Act of Parliament, and, likewise, a proper quantity of materials and instruments for fumigation and immersion, and shall keep the same on board, to be used in the manner hereinbefore directed upon the return of such vessel to any port or place in the United Kingdom.

**Signal  
flags and  
material  
for fumi-  
gation.**

42. And it is hereby further ordered, that the commanders of any of His Majesty's ships of war, who shall meet any vessel liable to perform quarantine coming to any of the ports of the United Kingdom or of the islands of Guernsey, Jersey, Alderney, Sark, or Man, shall take due care to prevent the landing of any goods, wares, merchandises, or persons from on board the same until they shall be put under the direction of the superintendent of quarantine, or his assistant at Standgate Creek or Milford Haven, or under the direction of the superintendent or his assistant, or the principal or other officer of His Majesty's Customs authorized to act in

**Ships of  
war to as-  
sist in  
enforcing  
quaran-  
tine.**



that behalf as aforesaid, at any of the outports or places hereinbefore mentioned.

**Commissioners of Customs to use utmost diligence.**

43. And it is hereby further ordered, that the Commissioners and other officers of His Majesty's Customs do use their utmost diligence and care that all regulations for the performance of quarantine before directed be duly observed.

**Commanders of ships of war, and of garrisons, justices of the peace, &c. to assist.**

44. And it is hereby further ordered, that the commanders of His Majesty's ships of war, as likewise the commanders of His Majesty's forts and garrisons lying near the sea coasts, and all justices of the peace, mayors, sheriffs, bailiffs, chief magistrates, constables, head-boroughs, tithingmen, and all other officers and ministers of justice, shall be aiding and assisting to the said superintendents of quarantine and their assistants, and to the principal and other officers of His Majesty's Customs, and to all others that shall be concerned in stopping such vessels as aforesaid, and in bringing them to the places appointed for the performance of quarantine, as well as in enforcing due performance thereof.

45. And it is hereby further ordered, that this order and the regulations herein contained shall take effect and be in force from and after the date hereof.

Provided always, that the regulation with respect to the production of declarations for enumerated articles brought from any port or place in Europe without the Streights shall commence and take effect on the first day of November one thousand eight hundred and twenty-five, and for the like articles brought from any port or place on the Continent of America on the first day of January one thousand eight hundred and twenty-six, and not before, until which respective times such proof shall be required and admitted as to the growth, produce,

and manufacture of such articles as shall be thought expedient, and shall be directed by the Lords and others of His Majesty's Privy Council or any two or more of them.

46. And the Lords Commissioners of His Majesty's Treasury, the Commissioners for executing the office of Lord High Admiral of Great Britain, the Lord Warden of the Cinque Ports, the Master-General and the rest of the principal officers of the Ordnance, His Majesty's Secretary at War, and the Governors and Commanders-in-Chief for the time being of the said isles of Guernsey, Jersey, Alderney, Sark, and Man, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

## ORDER IN COUNCIL.

PUBLISHED IN THE "LONDON GAZETTE," OCTOBER 4, 1825.

AT THE COURT AT WINDSOR,

*September 30, 1825.*

PRESENT,

THE KING'S MOST EXCELLENT  
MAJESTY IN COUNCIL.

WHEREAS by an Act passed in the last session of Parliament, intituled *An Act to repeal the several Laws relating to the performance of Quarantine, and to make*

*other provisions in lieu thereof*, it is amongst other things enacted, that it shall and may be lawful to and for His Majesty, his heirs or successors, by his or their Order or Orders in Council, notified by proclamation or published in the *London Gazette*, to prohibit all persons, vessels, and boats whatsoever from going, under any pretence whatsoever, within the limits of any station which by any Order or Orders in Council as aforesaid has been or may be assigned for the performance of quarantine ; and if any person whatsoever, after such notification or publication of any such Order or Orders in Council, shall presume under any pretence whatsoever to go with any vessel or boat within the limits of any such station, he or she shall for every such offence forfeit and pay the sum of two hundred pounds : And whereas His Majesty was pleased, by his Order in Council of the 19th of July last, to order, and it was thereby ordered, that all vessels not having the plague, or any other infectious disease or distemper highly dangerous to the health of His Majesty's subjects actually on board (except any ship of war, transport, or other vessel in the actual service of Government under the command of a commissioned officer of His Majesty's Navy), arriving in the United Kingdom, and coming from the Mediterranean, or from the West Barbary on the Atlantic Ocean, and bound to the Western ports of the United Kingdom, which should not be furnished with clean bills of health, should perform quarantine at Milford Haven, subject to such provisions, rules, regulations, and restrictions, pains, penalties, fines, forfeitures, and punishments, as are contained in His Majesty's said Order in Council : and whereas the limits of the quarantine station at Milford Haven are now

marked off by twelve yellow buoys to point out the same : His Majesty, in pursuance of the powers vested in him by the said Act, is pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, that no persons, vessels, or boats whatsoever, other than the vessels or boats belonging to the medical attendant or superintendent of quarantine or his assistant, or other boats regularly employed under the authority of the Commissioners of the Customs in the quarantine service, shall go, under any pretence whatever, within the limits so marked out, except in case of special necessity and emergency, and with permission first had and obtained from the superintendent of quarantine or his assistant ; and all vessels, being furnished with clean bills of health, and boats liable to quarantine, which may be ordered to perform quarantine at Milford Haven, shall come to an anchor within the limits of the said yellow buoys in such place as shall be directed by the superintendent of quarantine or his assistant.

No persons, vessels, or boats to go within limits of quarantine station.

Vessels with clean bills of health, at Milford Haven.

And the Right Honourable the Lords Commissioners of His Majesty's Treasury, the Commissioners for executing the office of Lord High Admiral of Great Britain, the Lord Warden of the Cinque Ports, the Master-General and the rest of the principal officers of the Ordnance, His Majesty's Secretary at War, and the Governors and Commanders-in-Chief for the time being of the Isles of Guernsey, Jersey, Alderney, Sark, and Man, are to give the necessary directions herein as to them may respectively appertain.

(Signed) JAMES BULLER.

## ORDER IN COUNCIL.

PUBLISHED IN THE "LONDON GAZETTE," OCTOBER 11, 1825.

AT THE COURT AT WINDSOR,

*September 30, 1825.*

PRESENT,

THE KING'S MOST EXCELLENT  
MAJESTY IN COUNCIL.

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Quaran-  
tine at Cro-  
marty Bay  
and Cars-  
thorn re-  
voked; In-  
verkeith-  
ing Bay  
and Holy  
Loch sub-  
stituted  
for them.

WHEREAS by His Majesty's Order in Council of the nineteenth of July last, it is directed that all ships or vessels liable to quarantine as are or shall be bound to the northern ports of Scotland shall perform the quarantine at Cromarty Bay, and that such of them as are or shall be bound to the south-west ports of Scotland shall perform their quarantine at Carsthorpe, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, that so much of the said Order in Council as relates to the performance of quarantine at Cromarty Bay and Carsthorpe be and the same is hereby revoked, and His Majesty is pleased to order, by and with the advice aforesaid, that all ships or vessels as are or shall

be bound to the northern ports of Scotland, comprehending the ports of

Inverness,	Orkney,	and
Zetland,	Caithness,	Stornaway,

or to any member, creek, or other place belonging to or within any or either of the above ports, shall perform their quarantine at Inverkeithing Bay; and that such ships or vessels as are or shall be bound to the south-west ports of Scotland, comprehending the ports of

Dumfries                      and                      Kirkcudbright,

or to any member, creek, or other place belonging to or within either of the above ports, shall perform their quarantine at Holy Loch in the Frith of Clyde.

And the Right Honourable the Lords Commissioners of His Majesty's Treasury, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

JAMES BULLER.

## ORDER IN COUNCIL.

PUBLISHED IN THE "LONDON GAZETTE," MARCH 25, 1879.

AT THE COURT AT WINDSOR,

*March 22, 1879.*

PRESENT,

THE QUEEN'S MOST EXCELLENT  
MAJESTY IN COUNCIL.

Quarantine to be performed by vessels coming from the Baltic, the Black Sea, the Sea of Azoff, and the Sea of Marmora.

WHEREAS by an Act passed in the sixth year of the reign of King George the Fourth, intituled "An Act to repeal the several Laws relating to the performance of Quarantine, and to make other provisions in lieu thereof," it was enacted that all vessels, as well His Majesty's ships of war as others, coming from or having touched at any place from whence His Majesty, His heirs or successors, by and with the advice of His or their Privy Council, shall have adjudged and declared it probable that the plague, or other infectious disease or distemper highly dangerous to the health of His Majesty's subjects, may be brought. And all vessels and boats receiving any person, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever from or out of any vessel so

coming from or having touched at such infected place as aforesaid, whether such persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles shall have come or been brought in such vessels, or such persons shall have gone, or articles have been put on board the same, either before or after the arrival of such vessels at any port or place in the United Kingdom, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, and whether such vessels were or were not bound to any port or place in the United Kingdom, or the islands aforesaid, and all persons, goods, wares, and merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever on board of any vessels so coming from or having touched at such infected place as aforesaid, or on board of any such receiving vessels or boats as aforesaid, shall be and be considered to be liable to quarantine within the meaning of this said Act and of any Order or Orders which shall be made by His Majesty, His heirs and successors, by and with the advice of His or their Privy Council, concerning quarantine and the prevention of infection from the time of the departure of such vessels from such infected place as aforesaid, or from the time when such persons, goods, wares, merchandise, packets, packages, baggage, wearing apparel, books, letters, or other articles shall have been received on board respectively; and all such vessels and boats as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandise, and all other articles as aforesaid, whether coming or brought in such vessels or boats from such infected place as aforesaid, or going or being put on board the same either before or after the arrival of such vessels or boats at any port or place in the United King-



dom, or the islands aforesaid, and all persons, goods, wares, and merchandise, and other articles as aforesaid, on board such receiving vessel or boat as aforesaid, shall, upon their arrival at such port or place, be obliged to perform quarantine in such place or places, for such time and in such manner as shall from time to time be directed by His Majesty, His heirs or successors, by His or their Order or Orders in Council, notified by proclamation or published in the *London Gazette*.

And by the said Act it was also enacted, that it shall and may be lawful for the Lords and others of His Majesty's Privy Council, or any two or more of them, to make such Order as they shall see necessary and expedient upon any unforeseen emergency, or in any particular case or cases, with respect to any vessel arriving and having any infectious disease or distemper on board, or on board of which any infectious disease or distemper may have appeared in the course of the voyage, or arriving under any other alarming or suspicious circumstances as to infection, although such vessel shall not have come from any place from which His Majesty, His heirs or successors, by and with the advice of His Privy Council, may have adjudged and declared it probable that the plague, or any such infectious disease or distemper, may be brought, and also with respect to the persons, goods, wares, and merchandise, and other articles, as aforesaid, on board the same :

And by the said Act it was also enacted that all persons liable to perform quarantine, and all persons having had any intercourse or communication with them, shall be subject during the said quarantine, or during the time they shall be liable to quarantine, to such orders as they shall receive from the superintendent of quarantine, or

his assistant, or from the principal officer of Customs at any port or place where there is no such superintendent or assistant, or from any other officer of the Customs authorized to act in that behalf :

And whereas His Majesty, under the authority of the said above recited Act, by and with the advice of His Privy Council, on the 19th day of July, 1825, made an Order declaring it probable that the plague, or some other infectious disease or distemper, might be brought into the United Kingdom, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, by vessels coming from the Mediterranean and certain other places, with or without clean bills of health :

And whereas His Majesty was pleased, by and with the advice of His Privy Council, to order that all vessels coming from the aforesaid places should be liable to perform quarantine in manner in such Order directed :

Her Majesty, under the authority of the said above recited Act, by and with the advice of Her Privy Council, doth hereby adjudge and declare it probable that the plague, or some other infectious disease or distemper highly dangerous to the health of Her Majesty's subjects, may be brought into the United Kingdom, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, by vessels coming from the Baltic, or from the Black Sea, or from the Sea of Azoff, or from the Sea of Marmora, or from or having touched at any place in, or any place the passage from which is by or through, any of the said seas.

And Her Majesty is therefore pleased, under the authority of the said Act, and by and with the advice of Her Privy Council, to order that all vessels, persons, goods, wares, and merchandise, and all other articles hereby made liable to quarantine, shall perform the same

at such places and for such times as shall be appointed in that behalf by any Order of Her Majesty in Council or of the Lords and others of the Privy Council or any two or more of them, and shall be subjected to the provisions, rules, and regulations and restrictions contained in the said Act concerning quarantine and the prevention of infection, and to all the pains and penalties, forfeitures and punishments contained in the said Act, or otherwise by law provided, for any breach or disobedience of the provisions of the said Act, or of any Order or Orders made or hereafter to be made in pursuance of the said Act, and that all persons hereby made liable to perform quarantine, and all persons having had any intercourse or communication with them shall, upon arrival at any port or place in the United Kingdom, or in the islands of Guernsey, Jersey, Alderney, Sark, or Man, and during the said quarantine, or during the time they shall be liable to quarantine, observe and obey all such orders and directions as they shall receive from the quarantine officer at such port or place authorized to act in that behalf.

And it is hereby ordered that this Order shall take effect and be in force from and after the date hereof.

And the Lords Commissioners of the Treasury and the Lords Commissioners of the Admiralty are to give the necessary directions herein accordingly.

C. L. PEEL.

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## DECLARATIONS.

### FORM OF DECLARATION FOR ANSWERING QUESTIONS UNDER ORDER VIII. OF ORDER IN COUNCIL OF JULY 19, 1825.

I, \_\_\_\_\_, having charge of the vessel \_\_\_\_\_, Declara-  
tion under  
Order VIII.  
do swear that the answers which I have given to the  
above questions, and also to the questions numbered  
from 1 to 13, which are contained in the sheet hereunto  
annexed, and which are set opposite to their respective  
questions, are true.

So help me God.

Sworn this \_\_\_\_\_ day }  
of \_\_\_\_\_, before }  
me, \_\_\_\_\_

NOTE.—These questions are to be put by the superintendent of quarantine or his assistant, if there shall be a superintendent or assistant, and if not, by the principal officer of His Majesty's Customs, or such officer of the customs as shall be authorized by the Commissioners of Customs to act in that behalf; and the answers to such questions are to be in writing or otherwise, and upon oath or not upon oath, according as the commander, master, or other person having charge of the vessel shall be required by such superintendent or other officer as aforesaid.

### FORM OF DECLARATION FOR ANSWERING QUESTIONS UNDER ORDER IX. OF ORDER IN COUNCIL OF JULY 19, 1825.

I, \_\_\_\_\_, having charge of the vessel \_\_\_\_\_, Declara-  
tion under  
Order IX.  
do swear, that the answers which I have given to the

above questions, and also to the questions numbered from 1 to 17, which are contained in the sheet hereunto annexed, and which are set opposite to their respective questions, are true.

So help me God.

Sworn this                      day }  
           of                      , before }  
           me,                      . }

NOTE.—These questions are to be put by the superintendent of quarantine or his assistant, or such principal officer of the Customs as shall be authorized by the Commissioners of Customs to act in that behalf, and the answers to such questions must be taken down in writing, and the truth thereof sworn to before such superintendent or his assistant, or the principal or other officer of the customs so authorized to act by the said Commissioners of the Customs.

GOODS MENTIONED IN ORDER XXXI. OF ORDER IN  
 COUNCIL OF JULY 19, 1825.

With regard to the goods mentioned in the above Order, and all other goods whatsoever, if they shall have arrived in or with packages consisting wholly or in part of any of the first-named goods, unless such goods shall be removed from such packages, one of the following declarations must be made upon oath, by the owner, proprietor, shipper, or consignee of the said goods, or of the vessel in which the same shall be shipped for the United Kingdom or the islands of Guernsey, Jersey, Alderney, Sark, or Man, if coming from any port or place in Europe without the Straits of Gibraltar, or on the continent of America (at which there is not a regular establishment for the performance of quarantine, declared sufficient for that purpose by His Majesty in Council),

before some magistrate of the port or place from whence the same shall be brought, and must be attested by such magistrate, and also by the British consul or vice-consul; or in case there shall be no such consul or vice-consul there, then by two known British merchants, and must accompany the goods shipped, and be produced by the master on his arrival, or attempting to enter any port or place in the United Kingdom, or the islands of Guernsey, &c., to the superintendent of quarantine. In default of which the said ship and cargo will be subject to and will be obliged to perform quarantine. (Order XXXVIII. of Order in Council, July 19, 1825.)

#### NEGATIVE DECLARATION.

I, [*Here insert the name, place of abode, and description, either as owner, proprietor, shipper, or consignee, as the case may be*] of the following goods, (that is to say,) [*here insert a list of the articles*] shipped on board the vessel called \_\_\_\_\_, master, now about to sail from the port of \_\_\_\_\_ for the port of \_\_\_\_\_, do declare upon oath, that none of the said goods, wares, or merchandises are of the growth, produce, or manufacture of Turkey, or of any place in Africa within the Straits of Gibraltar, or in the West Barbary on the Atlantic Ocean.

Declarations under Order XXXVIII.

So help me God.

Sworn before me at \_\_\_\_\_,  
\_\_\_\_\_, on the \_\_\_\_\_  
day of \_\_\_\_\_.

}

or,

## AFFIRMATIVE DECLARATION.

I, [*Here insert the name, place of abode, and description, either as owner, proprietor, shipper, or consignee, as the case may be*] of the following goods, (that is to say,) [*here insert a list of the articles*] shipped on board the vessel called \_\_\_\_\_, master, now about to sail from the port of \_\_\_\_\_ for the port of \_\_\_\_\_, do declare upon oath, that the said goods are of the growth, produce, or manufacture of \_\_\_\_\_.

So help me God.  
 \_\_\_\_\_ do hereby certify, that the  
 above-written name of \_\_\_\_\_ is the signature and  
 handwriting of \_\_\_\_\_, a magistrate of \_\_\_\_\_.

In testimony of the truth whereof \_\_\_\_\_ have  
 hereunto set \_\_\_\_\_ hand and seal, this  
 day of \_\_\_\_\_.

{	British Consul	(L.S.)
	or	
	Vice-Consul	(L.S.)
	or	
	(If no Consul or Vice-Consul)	
{	Known British Merchants, resi-	(L.S.)
	dent at the Port of _____	(L.S.)

DECLARATION UNDER ORDER XXXVIII. OF ORDER  
IN COUNCIL OF JULY 19, 1825, AS TO THE IDEN-  
TITY OF THE SHIP IN WHICH GOODS ARE IM-  
PORTED.

Required where any of the goods in the above Order mentioned (being part of the cargo) are of the growth, produce, or manufacture of Turkey, or of some place in Africa within the Straits of Gibraltar, or in the West Barbary on the Atlantic Ocean, and are brought from any port or place in Europe without the Straits of Gibraltar, or on the continent of America (at which there is not a regular establishment for the performance of quarantine, declared sufficient for that purpose by His Majesty in Council) in the same ship in which they were originally imported into the port or place from whence they were shipped for the United Kingdom, &c.

I, [*Here insert the name, place of abode, and description, either as owner, proprietor, shipper, or consignee, as the case may be*] of the following goods, (that is to say,) [*here insert a list of the articles*] which said goods are of the growth, produce, or manufacture of \_\_\_\_\_, and on board the vessel called \_\_\_\_\_, master, now about to sail from the port of \_\_\_\_\_ for the port of \_\_\_\_\_, do declare upon oath, that the said vessel is the same in which the said goods, wares, and merchandises were imported into the port of \_\_\_\_\_ from the port of \_\_\_\_\_, and that the bill of health (or bills, *as the case may be*) now produced \_\_\_\_\_ same as \_\_\_\_\_ granted at the said port of \_\_\_\_\_ where



**So help me God.**

}

do hereby certify, that the

In testimony of the truth whereof \_\_\_\_\_ have  
hereunto set \_\_\_\_\_ hand and seal, this  
day of \_\_\_\_\_ .

{	British Consul	(L.S.)
	or	
	Vice-Consul	(L.S.)
	or	
	(If no Consul or Vice-Consul)	
{	Known British Merchants, resi-	(L.S.)
	dent at the Port of	(L.S.)

## FORM OF A CLEAN BILL OF HEALTH.

**To all to whom these presents shall come,**

We, the undersigned Officers of Her Majesty Queen Victoria, in the port of A., in the city or town of B., send greeting

Whereas the vessel called the C., whose master is D. E., is about to sail from the said port of A. on this day of \_\_\_\_\_, in the year of our Lord 18\_\_\_\_, and from thence for G. and other places beyond

the seas, with                      persons on board, including the  
said master.

Now, know ye, that we, the said officers, do hereby  
make it known to all men, and pledge our faith there-  
unto, that at the time of granting these presents, no  
plague, epidemic cholera, nor any dangerous or con-  
tagious disorder exists in the above port or neighbour-  
hood. In testimony whereof we have hereunto set our  
names and seal of office, on the day and year aforesaid.

Seal of the Custom House.      (L. S.)

Given in the Custom House of  
the port of A., on the  
day of                      , in the year  
of our Lord 18                      .

## CHAPTER V.

Abstract of regulations—Duty of masters—Duty of pilots—And of other persons—What vessels are liable to quarantine—Signals—What ports for vessels liable to quarantine—Guard vessel.

## OFFICIAL ABSTRACT

OF

## QUARANTINE REGULATIONS

IN THE UNITED KINGDOM.

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NOTE.—*The words "United Kingdom" mean and include the United Kingdom, the islands of Jersey, Guernsey, Alderney, Sark, and Man. The word "Master" means and includes the master, commander, or other person for the time being in charge of the vessel.*

## WHAT VESSELS ARE LIABLE TO QUARANTINE.

**Official  
Abstract  
of Regula-  
tions.**

All vessels (as well ships of war as all others), *with or without clean bills of health*, coming from the Mediterranean, the Baltic, the Black Sea, the Sea of Azoff, or the Sea of Marmora, or from or having touched at any place in, or the passage from which is through or by any

of the said seas. From any other place from which Her Majesty shall from time to time adjudge it probable (and shall so declare by Proclamation or Order in Council) that the plague or any other infectious disease or distemper highly dangerous to the health of Her Majesty's subjects may be brought; or from any port or place whatever, if arriving under any alarming or suspicious circumstance as to infection.

NOTE.—Vessels are considered as liable to quarantine from the time of leaving any of such places as aforesaid, and whether bound or not bound to any port or place in the United Kingdom.

All vessels having communication with any of the before-mentioned vessels before they are released from quarantine, or receiving—

- (a) Any person whatever from or out of any such vessel, whether such person shall have come from any of such places as aforesaid, or shall have gone on board of such vessel, either in the course of her voyage or upon her arrival at any port or place in the United Kingdom.
- (b) Any goods, wares, or merchandise, packets, packages, baggage, wearing apparel, goods, letters, or any other articles whatever, from or out of any such vessel.

NOTE.—Vessels are liable to quarantine from the time of their receiving any such persons or goods.

## DUTY OF MASTERS OF VESSELS.

When within two leagues of the coast of the United ~~Masters~~.

Kingdom, to hoist the proper quarantine signals as hereinafter specified, and to keep the same hoisted whilst within such distance from the coast, and until discharged from quarantine :

Upon arrival off the coast of the United Kingdom—

To deliver to the pilot who shall go on board a written paper, containing a true account of the name of the place at which his ship loaded, and the names of all the places at which he touched on the voyage.

Upon entering or attempting to enter any port, and being interrogated by any quarantine officer, or officer of customs or coastguard acting in that behalf—

To bring-to the vessel.

To deliver on demand his bill of health, log-book, journal, manifest, or other papers.

To give a true answer in writing or otherwise, and upon oath or not upon oath, according as he shall be required, to the preliminary questions put by such officer for the purpose of ascertaining whether the vessel is or is not liable to quarantine.

If his vessel is liable to quarantine the master is to obey the orders and directions given to him by such officer as aforesaid, and not to go or permit any of the crew or passengers to go on shore during quarantine.

A master neglecting any of the above regulations is liable to prosecution. And the rules apply equally to vessels rendered liable to quarantine by reason of any Proclamation made subsequently to departure from the United Kingdom.

NOTE.—Every master of any vessel clearing out, or about to sail for any port or place from which vessels are liable to quarantine as above mentioned, is to receive from the principal officer of the customs at such port

or place this printed abstract of the quarantine regulations, which such master is to cause to be affixed on some convenient and conspicuous part of his vessel, and to remain so affixed until his return to some port or place in the United Kingdom.

And every such master is likewise to provide and take on board one at least of each of the proper quarantine signal flags and lanthorns.

### DUTY OF PILOTS.

To receive an account in writing from the master of **Pilots.** every vessel coming from foreign parts of the places at which his vessel loaded, and at which he touched on his voyage.

To bring-to the vessel when required by any quarantine officer.

If there shall be in force any Proclamation or Order in Council made after the departure of the vessel from the United Kingdom, by which vessels coming from any place mentioned in the account received shall be liable to quarantine, to give notice of such Proclamation or Order to the master.

To remain on board in the same manner as any of the officers, crew, or passengers, and not to quit the vessel before or after arrival, either by going on shore, or by going on board any other vessel or boat with intent to go on shore, until the vessel is regularly discharged from quarantine; and pilots may be compelled by any persons whatsoever, and by any kind of necessary force, to return on board.

A pilot by neglecting the above regulations is liable to prosecution.

### DUTY OF OTHER PERSONS.

**Other persons.**

All persons on board vessels liable to quarantine, and all persons having had any intercourse or communication with them, are strictly to obey all such orders and directions as they shall receive from the quarantine officer.

In no case are they to quit the vessel, either by going on shore, or by going on board any other vessel or boat with intent to go on shore, until regularly discharged from quarantine ; and if they quit the vessel, they may be compelled by any persons whatsoever, and by any kind of necessary force, to return on board the same.

They are not to land or unship any goods or letters from a vessel liable to quarantine, nor to conceal any goods or letters for that purpose.

Any breach of the above renders the offender liable to arrest and prosecution.

### QUARANTINE SIGNALS.

**Signals.**

For vessels with clean bills of health :—

In the day time—A large yellow flag, of six breadths of bunting, at the main topmast head. In the night time—A large signal lanthorn, with a light therein, such as is commonly used on board Her Majesty's ships of war, at the same mast head.

For vessels without clean bills of health :—

In the day time—A large yellow flag, with a circular mark or ball, entirely black, in the middle thereof, whose diameter shall be equal to two breadths of bunting, at the main-topmast head. In the night time—Same as for vessels with clean bills of health.

For vessels with the plague, or other such infectious disease or distemper as aforesaid, actually on board :—

In the day time—A flag of yellow and black borne quarterly, of eight breadths of bunting, at the main top-mast head. In the night time—Two large signal lanterns, with a light therein, such as are commonly used on board Her Majesty's ships of war, one over the other, at the same mast head.

Any master hoisting any of the said quarantine signals, by day or night, knowing that his vessel is not liable to quarantine, incurs a penalty thereby.

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In Great Britain the following regulations are also observed :—

**Rules observed in Great Britain.**

When a ship having sickness on board is ordered by the Government to perform quarantine, the first thing attended to is the careful removal of the sick to a floating hospital ship. This being accomplished, the healthy passengers and crew are removed to another ship. Finally, the convalescents and invalids are removed to a third ship.

During the quarantine a medical officer is appointed to each ship, to watch over and attend to all persons on board.

The passengers and crew have to pass through nitrous fumes on their leaving each ship, which, being noxious, must be cautiously inhaled.

The crews of the mail-steamer or other detained vessel have, during the time of their quarantine, to attend to the washing of their clothes and the daily airing of their bedding, which are all properly fumigated before they are liberated.



The passengers and crew being thus distributed, a purification and disinfection of the mail-steamer or other vessel takes place. Every cabin and compartment is filled with nitrous<sup>38</sup> fumes, taking care to close all outer doors and cabin windows, which are continued closed for four hours, after which the fumes are repeated.

Carbolic acid and water, in the proportion of four gallons of acid to 100 of water, is poured into the ship's bilges and down the pumps. The coals of a mail-steamer are also saturated with 300 or 400 gallons of this mixture.

Cabin bulkheads are well wetted by brush or syringe with a mixture of the clear solution of chloride of lime and water, in the proportion of 4 to 6 of solution to 100 of water.

Water-closets are freely distributed at different parts of the ships for the use of the passengers and crew. In each ship there are store-rooms and pantries for the stewards and ample accommodation for cooking.

Should there have been a serious outbreak of fever, every cabin and saloon floor is well saturated with chloride of lime and water, especially where the sick have been quartered. The soiled linen sheets, pillow slips, &c., are suspended on lines in a place where there is sufficient space, and subjected for eight hours to strong and repeated nitrous fumes.

Entrance is effected into the cargo spaces of the ship, and strong nitrous fumes are introduced into these

<sup>38</sup> These fumes are made by the combination of 2 oz. of concentrated nitric acid and 1 oz. of fine copper clippings, mixed in a well-glazed earthen vessel—a chamber utensil answers the purpose. In a large space, eight or ten of them, with the quantities of acid and copper, will cause a dense fume.

places. After the liberation of the ship from quarantine, some of the men and an officer from the station accompany her to the place of unloading, and slightly syringe the packages as they leave the ship, and after cargo is discharged the whole of the cargo spaces of the ship are placed under the strongest fumes for four hours (the hatches being closed for that time); then every part of the bulkheading, flooring, &c., is syringed with the clear solution of the chloride of lime and water.

### *The Guard Vessel.*

A commissioned gunboat is sent out to take the **The Guard Vessel.** guard of the ships during the period of quarantine, the commander of which confers with the superintendent of quarantine, who, with his boat's crew, do not go under quarantine. This officer goes alongside all the ships to deliver and receive letters in copper buckets; also to see to the proper delivery of provisions, as well as to give instructions from time to time on the orders which he receives from the Government.

Deaths occurring under quarantine, the bodies are securely sewn up in new canvas, wrapped around the body three times, the package sufficiently weighted with iron ( $1\frac{1}{2}$  cwt.), and after the burial service is read, the body is committed to the deep at the place appointed. The clothes and bedding of deceased persons are destroyed.

A Medical Superintendent of quarantine visits alongside the ships and receives the reports from the medical men in charge. He daily informs the Privy Council of the state of the health of all on board, and when, in his judgment, all fear from infection has passed away, which decides the duration of the term of quarantine.

In the case of the mail-steamers, the Company provide the bedding and provisions for their passengers. The Government provide medical attendance, medicines, and disinfectants, with the use of their ships, free of expense.

No quarantine fees are charged in the United Kingdom.

## CHAPTER VI.

**Public Health Acts of the United Kingdom—The 38 & 39 Vict. c. 55—Sanitary provisions—Water supply—Common lodging-houses—Infectious diseases—Hospitals—Port sanitary authority—Rules of Local Government Board for the prevention of cholera.**

**THE** statutes relating to the sanitary provisions, nuisances, infectious diseases, hospitals, epidemics, and mortuaries in England have lately been consolidated in the 38 & 39 Vict. c. 55. The provisions of the statute do not, however, apply to Scotland or Ireland, nor to the Metropolitan district.

The Metropolitan district continues to be governed by the enactments contained in the 18 & 19 Vict. c. 116; the 21 & 22 Vict. c. 97, by virtue of which Act the powers of the 18 & 19 Vict. c. 116, are vested in the Privy Council; the 23 & 24 Vict. c. 77; the 29 & 30 Vict. c. 90, which is partly repealed (*viz.*, so far as it applies to Scotland, by the 30 & 31 Vict. c. 101, s. 2, and Parts I., II. and III. are repealed by the 38 & 39 Vict. c. 55, except so far as they relate to the Metropolis); the 33 & 34 Vict. c. 53; the 35 & 36 Vict. c. 79; and the 37 & 38 Vict. c. 89.

Scotland is regulated by the enactments of the 30 & 31 Vict. c. 101; and Ireland follows the 41 & 42 Vict. c. 52.

Although the "Public Health" Act is not, strictly speaking, a Quarantine Act, yet it is so closely allied to the subject, that it has been considered desirable to give those provisions of the Act which bear directly on sanitary measures.

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## THE PUBLIC HEALTH ACT.

38 & 39 VICT. c. 55.

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### ARRANGEMENT OF CLAUSES.

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2. Extent of Act.
3. Division of Act into parts.
4. Definitions.

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6. Description of urban districts and urban authorities.
7. Incorporation of local boards and improvement commissioners.

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10. Powers and duties of urban authorities.
11. Powers and duties of rural authorities.
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#### SANITARY PROVISIONS.

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13. Sewers vested in local authority.
14. Power to purchase sewers.
15. Maintenance and making of sewers.
16. Powers for making sewers.
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18. Alteration and discontinuance of sewers.
19. Cleansing sewers.
20. Map of system of sewage.
21. Power of owners and occupiers within district to drain into sewers of local authority.
22. Use of sewers by owners and occupiers without district.
23. Power of local authority to enforce drainage of un-drained houses.
24. Power of local authority to require houses to be drained into new sewers.
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30. Contribution to works under agreement for supply or distribution of sewage.  
31. Application of 27 & 28 Vict. c. 114, to works for supply of sewage.

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35. Penalty on building houses without privy accommodation.  
36. Power of local authority to enforce provision of privy accommodation for houses.  
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38. Privy accommodation for factories.
39. Public necessities.
40. Drains, privies, &c., to be properly kept.
41. Examination of drains, privies, &c., on complaint of nuisance.

SCAVENGING AND CLEANSING.

*Regulations as to Streets and Houses.*

42. Local authority to provide for cleansing of streets and removal of refuse.
43. Penalty on neglect of local authority to remove refuse, &c.
44. Power of local authority to make byelaws imposing duty of cleansing, &c., on occupier.
45. Power to provide receptacles for deposit of rubbish.
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49. Removal of filth on certificate of inspector of nuisances.
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54. Power of carrying mains.
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- 92. Duty of local authority to inspect district for detection of nuisances.
- 93. Information of nuisances to local authority.
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- 95. On non-compliance with notice complaint to be made to justice.
- 96. Power of court of summary jurisdiction to make order dealing with nuisance.
- 97. Order of prohibition in case of house unfit for human habitation.
- 98. Penalty for contravention of order of court.
- 99. Appeal against order.
- 100. In certain cases order may be addressed to local authority.
- 101. Power to sell manure, &c.
- 102. Power of entry of local authority.
- 103. Penalty for disobedience of order.
- 104. Costs and expenses of execution of provisions relating to nuisances.

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105. Power of individual to complain to justice of nuisance.
  106. Power of officer of police to proceed in certain cases against nuisances.
  107. Local authority may take proceedings in superior court for abatement of nuisances.
  108. Power to proceed where cause of nuisance arises without district.
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  110. Provision as to ships.
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117. Power of justice to order destruction of unsound meat, &c.
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130. Power of Local Government Board to make regulations.

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135. Publication of regulations and orders.
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- SCHEDULE V.
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An Act for consolidating and amending the Acts relating to Public Health in England.

[11th August, 1875.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows :

## PART I.

### *Preliminary.*

1. This Act may be cited as The Public Health Act, **Short title.**  
1875.

2. This Act shall not extend to Scotland or Ireland, **Extent of Act.**  
nor (save as by this Act is expressly provided) to the metropolis.

3. This Act is divided into parts, as follows :

**Division of Act into Parts.**

Part I.—Preliminary.

Part II.—Authorities for Execution of Act.

Part III.—Sanitary Provisions.

Part IV.—Local Government Provisions.

Part V.—General Provisions.

Part VI.—Rating and Borrowing Powers, &c.

Part VII.—Legal Proceedings.

Part VIII.—Alteration of Areas and Union of Districts.

Part IX.—Local Government Board.

Part X.—Miscellaneous and Temporary Provisions.

Part XI.—Saving Clauses and Repeal of Acts.

4. In this Act, if not inconsistent with the context, the **Definitions.**  
following words and expressions have the meanings hereinafter respectively assigned to them ; that is to say,

“Borough” means any place for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled “An Act to provide for the Regulation of Municipal Cor-

porations in England and Wales," and any Act amending the same :

"The metropolis" means the city of London and all parishes and places mentioned in Schedules A, B, and C to the Metropolis Management Act, 1855 :

"Local Government District" means any area subject to the jurisdiction of a local board constituted in pursuance of the Local Government Acts before the passing of this Act, or in pursuance of this Act, and "local board" means any board so constituted :

"Improvement Act district" means any area for the time being subject to the jurisdiction of any improvement commissioners as hereinafter defined :

"Improvement Commissioners" means any commissioners, trustees, or other persons invested by any local Act with powers of town government and rating :

"Parish" means a place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed :

"Union" means a union of parishes incorporated or united for the relief or maintenance of the poor under any public or local Act of Parliament, and includes any parish subject to the jurisdiction of a separate board of guardians :

"Guardians" means any persons or body of persons by whom the relief of the poor is administered in any union :

"Person" includes any body of persons, whether corporate or unincorporate :

- "Local authority" means urban sanitary authority and rural sanitary authority :
- "Surveyor" includes any person appointed by a rural authority to perform any of the duties of surveyor under this Act :
- "Lands" and "Premises" include messuages, buildings, lands, easements, and hereditaments of any tenure :
- "Owner" means the person for the time being receiving the rackrent of the lands or premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such lands or premises were let at a rackrent :
- "Rackrent" means rent which is not less than two-thirds of the full net annual value of the property out of which the rent arises ; and the full net annual value shall be taken to be the rent at which the property might reasonably be expected to let from year to year, free from all usual tenant's rates and taxes, and tithe commutation rentcharge (if any), and deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses (if any) necessary to maintain the same in a state to command such rent :
- "Street" includes any highway (not being a turnpike road), and any public bridge (not being a county bridge), and any road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not :
- "House" includes schools, also factories, and other

buildings in which more than twenty persons are employed at one time :

“Drain” means any drain of and used for the drainage of one building only, or premises within the same curtilage, and made merely for the purpose of communicating therefrom with a cesspool or other like receptacle for drainage, or with a sewer into which the drainage of two or more buildings or premises occupied by different persons is conveyed :

“Sewer” includes sewers and drains of every description, except drains to which the word “drain” interpreted as aforesaid applies, and except drains vested in or under the control of any authority having the management of roads and not being a local authority under this Act :

“Slaughter-house” includes the buildings and places commonly called slaughter-houses and knackers’ yards, and any building or place used for slaughtering cattle, horses, or animals of any description for sale :

“Water company” means any person or body of persons, corporate or unincorporate, supplying, or who may hereafter supply, water for his or their own profit :

“Waterworks” includes streams, springs, wells, pumps, reservoirs, cisterns, tanks, aqueducts, cuts, sluices, mains, pipes, culverts, engines, and all machinery, lands, buildings, and things for supplying or used for supplying water, also the stock in trade of any water company :

“Bakehouse Regulation Act” means 26 & 27 Vict. c. 40 (Bakehouse Regulation Act, 1863) :

“Artizans and Labourers Dwellings Act” means 31 & 32 Vict. c. 130 (Artizans and Labourers Dwellings Act, 1868):

“Baths and Wash-houses Acts” means 9 & 10 Vict. c. 74 (An Act to encourage the establishment of Public Baths and Wash-houses); 10 & 11 Vict. c. 61 (An Act to amend the Act for the establishment of Public Baths and Wash-houses):

“Labouring Classes Lodging Houses Acts” means 14 & 15 Vict. c. 34 (Labouring Classes Lodging Houses Act, 1851); 29 & 30 Vict. c. 28 (Labouring Classes Dwelling Houses Act, 1866); 30 & 31 Vict. c. 28 (Labouring Classes Dwelling Houses Act, 1867):

“Sanitary Acts” means all the above-mentioned Acts and the Acts mentioned in Part I. of Schedule V. to this Act:

“Sanitary purposes” means any object or purposes of the Sanitary Acts:

“Court of quarter sessions” means the court of general or quarter sessions of the peace having jurisdiction over the whole or any part of the district or place in which the matter requiring the cognizance of general or quarter sessions arises:

“Court of summary jurisdiction” means any justice or justices of the peace, stipendiary or other magistrate or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts or any Acts therein referred to:

“Summary Jurisdiction Acts” means the Act of the

session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to Summary Convictions and Orders," and any Act amending the same.

## PART II.

### AUTHORITIES FOR EXECUTION OF ACT.

#### CONSTITUTION OF DISTRICTS AND AUTHORITIES.

**Urban and rural sanitary districts.** 5. For the purposes of this Act England, except the Metropolis, shall consist of districts to be called respectively—

- (1.) Urban sanitary districts, and
- (2.) Rural sanitary districts,

(in this Act referred to as urban and rural districts;) and such urban and rural districts shall respectively be subject to the jurisdiction of local authorities, called urban sanitary authorities and rural sanitary authorities (in this Act referred to as urban and rural authorities), invested with the powers in this Act mentioned.

**Description of urban districts and urban authorities.** 6. Urban districts shall consist of the places in that behalf mentioned in the first column of the table in this section contained, and urban authorities shall be the several bodies of persons specified in the second column of the said table in relation to the said places respectively.

Urban District.	Urban Authority.
Borough constituted such either before or after the passing of this Act.	The Mayor, Aldermen, and Burgesses, acting by the Council.
Improvement Act district constituted such before the passing of this Act, and having no part of its area situated within a borough or local government district.	The Improvement Commissioners.
Local government district constituted such either before or after the passing of this Act, having no part of its area situated within a borough, and not coincident in area with a borough or Improvement Act district.	The Local Board.

Provided that

- (1). Any borough, the whole of which is included in and forms part of a Local Government district or Improvement Act district, and any improvement Act district which is included in and forms part of a Local Government district, and any Local Government district which is included in and forms part of an Improvement Act district, shall for the purposes of this Act be deemed to be absorbed in the larger district in which it is included, or of which it forms part; and the improvement commissioners or local board, as the case may be, of such larger district, shall be the urban authority therein; and
- (2.) Where an Improvement Act district is coincident



in area with a Local Government district, the improvement commissioners, and not a local board, shall be the urban authority therein; and

- (3.) Where any part of an improvement Act district is situated within a borough or Local Government district, or where any part of a Local Government district is situated within a borough, the remaining part of such Improvement Act district, or of such Local Government district so partly situated within a borough, shall, for the purposes of this Act, continue subject to the like jurisdiction as it would have been subject to if this Act had not been passed, unless and until the Local Government Board by provisional order otherwise directs.

For the purposes of this Act, the boroughs of Oxford, Cambridge, Blandford, Calne, Wenlock, Folkestone, and Newport Isle of Wight, shall not be deemed to be boroughs, and the borough of Cambridge shall be deemed to be an Improvement Act district, and the borough of Oxford to be included in the Local Government district of Oxford. So much of the borough of Folkestone as is not included within the Local Government district of Sandgate shall be an urban district, and shall be under the jurisdiction, for the purposes of this Act, of the authority for executing "The Folkestone Improvement Act, 1855."

**Incorporation of local boards and improvement commissioners.**

7. Every local board, and any improvement commissioners being an urban authority and not otherwise incorporated, shall continue to be or be a body corporate, designated (in the case of local boards and improve-

ment commissioners being urban sanitary authorities at the time of the passing of this Act) by such name as they then bear, and (in the case of local boards constituted after the passing of this Act) by such name as they may with the sanction of the Local Government Board adopt ; with a perpetual succession and a common seal, and with power to sue and be sued in such name, and to hold lands without any license in mortmain for the purposes of this Act.

8. The members of local boards shall be elective ; and the number and qualification of members of local boards, the qualification of electors, the mode and expenses of election, and the proceedings incident thereto, the retirement and disqualification of members, the proceedings in case of lapse of a local board, and all other matters relating to the election of members of local boards, shall be governed by the rules contained in Schedule II. to this Act.

9. The area of any union which is not coincident in area with an urban district, nor wholly included in an urban district (in this section called a rural union), with the exception of those portions (if any) of the area which are included in any urban district, shall be a rural district, and the guardians of the union shall form the rural authority of such district : Provided that—

**Election of  
local  
boards.**

**Descrip-  
tion of  
rural dis-  
tricts and  
rural au-  
thorities.**

- (1.) An ex-officio guardian resident in any parish or part of a parish belonging to such union, which parish or part of a parish forms or is situated in an urban district, shall not act or vote in any case in which guardians of such union act or vote as members of the rural authority, unless he is the owner or occupier of

property situated in the rural district of a value sufficient to qualify him as an elective guardian for the union :

- (2.) An elective guardian of any parish belonging to such union, and forming or being wholly included within an urban district, shall not act or vote in any case in which guardians of such union act or vote as members of the rural authority :
- (3.) Where part of a parish belonging to a rural union forms or is situated in an urban district, the Local Government Board may by order divide such parish into separate wards, and determine the number of guardians to be elected by such wards respectively, in such manner as to provide for the due representation of the part of the parish situated within the rural district ; but until such order has been made, the guardian or guardians of such parish may act and vote as members of the rural authority in the same manner as if no part of such parish formed part of or was situated in an urban district.

Where the number of elective guardians who are not by this section disqualified from acting and voting as members of the rural authority is less than five, the Local Government Board may from time to time by order nominate such number of persons as may be necessary to make up that number from owners or occupiers of property situated in the rural district of a value sufficient to qualify them as elective guardians for the union, and the persons so nominated shall be

entitled to act and vote as members of the rural authority, but not further or otherwise.

Subject to the provisions of this Act, all statutes, orders, and legal provisions applicable to any board of guardians shall apply to them in their capacity of rural authority under this Act for purposes of this Act; and it is hereby declared that the rural authority are the same body as the guardians of the union or parish for or within which such authority act.

10. In addition to the powers, rights, duties, capacities, liabilities, obligations exercisable by or attaching to an urban authority under this Act, every urban authority shall, within their district (to the exclusion of any other authority which may have previously exercised or been subject to the same), have, exercise, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations within such district exercisable or attaching by and to the local authority under the "Bakehouse Regulation Act," and the "Artizans and Labourers Dwellings Acts," or any Acts amending the same.

Power and  
duties of  
urban au-  
thorities.

Where the "Baths and Wash-houses Acts," and the "Labouring Classes Lodging Houses Acts," or any of them, are in force within the district of any urban authority, such authority shall have all powers, rights, duties, capacities, liabilities, and obligations in relation to such Acts exercisable by or attaching to the council, incorporated commissioners, local board improvement commissioners, and other commissioners or persons acting in the execution of the said Acts or any of them.

Where the "Baths and Wash-houses Acts" are not in force within the district of any urban authority, such authority may adopt such Acts; and where the "Labouring Classes Lodging Houses Acts," are not in

force within the district of any urban authority, such authority may adopt such Acts.

Where any local Act other than an Act for the conservancy of any river is in force within the district of an urban authority, conferring on any commissioners, trustees, or other persons, powers for purposes the same as or similar to those of this Act (but not for their own pecuniary benefit), all the powers, rights, duties, capacities, liabilities, and obligations of such commissioners, trustees, or other persons in relation to such purposes shall be transferred and attach to the said urban authority.

**Powers  
and duties  
of rural  
authori-  
ties.**

11. In addition to the powers, rights, duties, capacities, liabilities, and obligations exercisable by or attaching to a rural authority under this Act, every rural authority shall, within their district (to the exclusion of any other authority which may have previously exercised or been subject to the same), have, exercise, and be subject to all the powers, rights, duties, capacities, liabilities, and obligations within such district exercisable by or attaching to the local authority under the "Bakehouse Regulation Act," or any Acts amending the same.

**Vesting of  
property  
in local au-  
thorities.**

12. From and after the passing of this Act, all such property, real and personal, including all interests, rights, and easements in, to, and out of property, real and personal (including things in action), as belongs to or is vested in, or would but for this Act have belonged to or been vested in, the council of any borough, or any improvement commissioners or local board as the urban sanitary authority of any district under the Sanitary Acts, or any board of guardians as the rural sanitary authority of any district under those Acts, shall continue vested or vest in such council, improvement commissioners, or local

board, or board of guardians as the local authority of their district under this Act, subject to all debts, liabilities, and obligations affecting the same property.

All debts, liabilities, and obligations incurred by any authority whose powers, rights, duties, liabilities, capacities, and obligations are under this Act exercisable by or attached to a local authority may be enforced against the local authority to the same extent and in the same manner as they might have been enforced against the authority which incurred the same.

### PART III.

#### SANITARY PROVISIONS.

##### SEWERAGE AND DRAINAGE.

##### *Regulations as to Sewers and Drains.*

13. All existing and future sewers within the district of a local authority, together with all buildings, works, materials, and things belonging thereto,

**Sewers  
vested in  
local au-  
thorities.**

Except

- (1.) Sewers made by any person for his own profit, or by any company for the profit of the shareholders ; and
- (2.) Sewers made and used for the purpose of draining, preserving, or improving land under any local or private Act of Parliament, or for the purpose of irrigating land ; and
- (3.) Sewers under the authority of any commissioners of sewers appointed by the Crown,

shall vest in and be under the control of such local authority.

Provided, that sewers within the district of a local authority which have been, or which may hereafter be, constructed by or transferred to some other local authority, or by or to a sewage board or other authority empowered under any Act of Parliament to construct sewers, shall (subject to any agreement to the contrary) vest in, and be under the control of, the authority who constructed the same, or to whom the same have been transferred.

**Power to  
purchase  
sewers.**

14. Any local authority may purchase or otherwise acquire from any person any sewer, or any right of making or of user or other right in or respecting a sewer (with or without any buildings, works, materials, or things belonging thereto), within their district, and any person may sell or grant to such authority any such sewer, right, or property belonging to him; and any purchase-money paid by such authority in pursuance of this section shall be subject to the same trusts (if any) as the sewer, right, or property sold was subject to.

But any person who, previously to the purchase of a sewer by such authority, has acquired a right to use such sewer, shall be entitled to use the same, or any sewer substituted in lieu thereof, to the same extent as he would or might have done if the purchase had not been made.

**Mainte-  
nance and  
making of  
sewers.**

15. Every local authority shall keep in repair all sewers belonging to them, and shall cause to be made such sewers as may be necessary for effectually draining their district for the purposes of this Act.

**Powers for  
making  
sewers.**

16. Any local authority may carry any sewer through, across, or under any turnpike road, or any street or place laid out as, or intended for, a street, or under any cellar or vault which may be under the pavement or carriage-

way of any street, and, after giving reasonable notice in writing to the owner or occupier (if on the report of the surveyor it appears necessary), into, through, or under any lands whatsoever within their district.

They may also (subject to the provisions of this Act relating to sewage works without the district of the local authority) exercise all or any of the powers given by this section without their district for the purpose of outfall or distribution of sewage.

17. Nothing in this Act shall authorize any local authority to make or use any sewer, drain, or outfall, for the purpose of conveying sewage or filthy water into any natural stream or watercourse, or into any canal, pond, or lake, until such sewage or filthy water is freed from all excrementitious or other foul or noxious matter, such as would affect or deteriorate the purity and quality of the water in such stream or watercourse, or in such canal, pond, or lake.

Sewage to be purified before being discharged into streams.

18. Any local authority may, from time to time, enlarge, lessen, alter the course of cover in or otherwise improve any sewer belonging to them, and may discontinue, close up, or destroy any such sewer that has in their opinion become unnecessary, on condition of providing a sewer as effectual for the use of any person who may be deprived, in pursuance of this section, of the lawful use of any sewer: Provided that the discontinuance, closing up, or destruction of any sewer shall be so done as not to create a nuisance.

Alteration and discontinuance of sewers.

19. Every local authority shall cause the sewers belonging to them to be constructed, covered, ventilated, and kept so as not to be a nuisance or injurious to health, and to be properly cleansed and emptied.

Cleansing sewers.

20. An urban authority may, if they think fit, provide

Map of



**system of sewerage.** a map exhibiting a system of sewerage for effectually draining their district, and any such map shall be kept at their office, and shall at all reasonable times be open to the inspection of the ratepayers of their district.

**Power of owners and occupiers within district to drain into sewers of local authority.** 21. The owner or occupier of any premises within the district of a local authority shall be entitled to cause his drains to empty into the sewers of that authority, on condition of his giving such notice as may be required by that authority of his intention so to do, and of complying with the regulations of that authority in respect of the mode in which the communications between such drains and sewers are to be made, and subject to the control of any person who may be appointed by that authority to superintend the making of such communications.

Any person causing a drain to empty into a sewer of a local authority without complying with the provisions of this section shall be liable to a penalty not exceeding twenty pounds, and the local authority may close any communication between a drain and a sewer made in contravention of this section, and may recover in a summary manner from the person so offending any expenses incurred by them under this section.

**Use of sewers by owners and occupiers without district.** 22. The owner or occupier of any premises without the district of a local authority may cause any sewer or drain from such premises to communicate with any sewer of the local authority on such terms and conditions as may be agreed on between such owner or occupier and such local authority, or as in case of dispute may be settled, at the option of the owner or occupier, by a court of summary jurisdiction or by arbitration in manner provided by this Act.

**Power of** 23. Where any house within the district of a local

authority is without a drain sufficient for effectual drainage, the local authority shall, by written notice, require the owner or occupier of such house, within a reasonable time therein specified, to make a covered drain or drains emptying into any sewer which the local authority are entitled to use, and which is not more than one hundred feet from the site of such house; but if no such means of drainage are within that distance, then emptying into such covered cesspool or other place not being under any house as the local authority direct; and the local authority may require any such drain or drains to be of such materials and size, and to be laid at such level, and with such fall, as on the report of their surveyor may appear to them to be necessary.

local authority to enforce drainage of un-drained houses.

If such notice is not complied with, the local authority may, after the expiration of the time specified in the notice, do the work required, and may recover in a summary manner the expenses incurred by them in so doing from the owner, or may by order declare the same to be private improvement expenses.

Provided that where, in the opinion of the local authority, greater expense would be incurred in causing the drains of two or more houses to empty into an existing sewer, pursuant to this section, than in constructing a new sewer and causing such drains to empty therein, the local authority may construct such new sewer, and require the owners or occupiers of such houses to cause their drains to empty therein, and may apportion, as they deem just, the expenses of the construction of such sewer among the owners of the several houses, and recover in a summary manner the sums apportioned from such owners, or may by order declare the same to be private improvement expenses.

**Power of local authority to require houses to be drained into new sewers.**

24. Where any house within the district of a local authority has a drain communicating with any sewer, which drain, though sufficient for the effectual drainage of the house, is not adapted to the general sewerage system of the district, or is in the opinion of the local authority otherwise objectionable, the local authority may, on condition of providing a drain or drains as effectual for the drainage of the house, and communicating with such other sewer as they think fit, close such first-mentioned drain, and may do any works necessary for that purpose, and the expenses of those works, and of the construction of any drain or drains provided by them under this section, shall be deemed to be expenses properly incurred by them in the execution of this Act.

**Penalty on building house without drains in urban district.**

25. It shall not be lawful in any urban district newly to erect any house or to rebuild any house which has been pulled down to or below the ground floor, or to occupy any house so newly erected or rebuilt, unless and until a covered drain or drains be constructed, of such size and materials, and at such level, and with such fall as on the report of the surveyor may appear to the urban authority to be necessary for the effectual drainage of such house; and the drain or drains so to be constructed shall empty into any sewer which the urban authority are entitled to use, and which is within one hundred feet of some part of the site of the house to be built or rebuilt; but if no such means of drainage are within that distance, then shall empty into such covered cesspool or other place, not being under any house, as the urban authority direct.

Any person who causes any house to be erected or rebuilt or any drain to be constructed in contravention of

this section shall be liable to a penalty not exceeding fifty pounds.

26. Any person who, in any urban district, without the written consent of the urban authority,—

- (1.) Causes any building<sup>39</sup> to be newly erected over any sewer of the urban authority; or,
- (2.) Causes any vault, arch, or cellar to be newly built or constructed under the carriageway of any street,

Penalty on unauthorised building over sewers and under streets in urban district.

shall forfeit to the urban authority the sum of five pounds and a further sum of forty shillings for every day during which the offence is continued after written notice in this behalf from the urban authority; and the urban authority may cause any building, vault, arch, or cellar erected or constructed in contravention of this section to be altered, pulled down, or otherwise dealt with as they may think fit, and may recover in a summary manner any expenses incurred by them in so doing from the offender.

### *Disposal of Sewage.*

27. For the purpose of receiving, storing, disinfecting, distributing, or otherwise disposing of sewage, any local authority may—

Powers for disposing of sewage.

- (1.) Construct any works within their district, or (subject to the provisions of this Act as to sewage works without the district of the local authority) without their district; and

<sup>39</sup> For definition of "building," see *Poplar District Board of Works v. Knight*, 28 L. J. (M. C.) 37; *Lord Manners v. Johnson*, 45 L. J., Ch. 404.

- (2.) Contract for the use of, purchase, or take on lease any land, buildings, engines, materials, or apparatus, either within or without their district ; and
- (3.) Contract to supply for any period not exceeding twenty-five years any person with sewage, and as to the execution and costs of works either within or without their district for the purposes of such supply :

Provided that no nuisance be created in the exercise of any of the powers given by this section.

**Power to agree for communication of sewers with sewers of adjoining district.**

28. The local authority of any district may, by agreement with the local authority of any adjoining district, and with the sanction of the Local Government Board, cause their sewers to communicate with the sewers of such last-mentioned authority, in such manner and on such terms and subject to such conditions as may be agreed on between the local authorities, or, in case of dispute, may be settled by the Local Government Board : Provided that, so far as practicable, storm waters shall be prevented from flowing from the sewers of the first-mentioned authority into the sewers of the last-mentioned authority, and that the sewage of other districts or places shall not be permitted by the first-mentioned authority to pass into their sewers so as to be discharged into the sewers of the last-mentioned authority without the consent of such last-mentioned authority.

**Power to deal with land appropriated to sewage purposes.**

29. Any local authority may deal with any lands held by them for the purpose of receiving, storing, disinfecting, or distributing sewage in such manner as they deem most profitable, either by leasing the same for a period not exceeding twenty-one years for agricultural purposes,

or by contracting with some person to take the whole or a part of the produce of such land, or by farming such land and disposing of the produce thereof; subject to this restriction, that in dealing with land for any of the above purposes, provision shall be made for effectually disposing of all the sewage brought to such land without creating a nuisance.

30. Where any local authority agree with any person as to the supply of sewage and as to works to be made for the purpose of such supply, they may contribute to the expense of carrying into execution by such person all or any of the purposes of such agreement, and may become shareholders in any company with which any agreement in relation to the matters aforesaid has been or may hereafter be entered into by such local authority, or to or in which the benefits and obligations of such agreement may have been or may be transferred or vested.

31. The making of works of distribution and service for the supply of sewage to lands for agricultural purposes shall be deemed an "improvement of land" authorized by "The Improvement of Land Act, 1864," and the provisions of that Act shall apply accordingly.

Contribution to works under agreement for supply or distribution of sewage.

Application of 27 & 28 Vict. c. 114, to works for supply of sewage.

#### *As to Sewage Works without District.*

32. A local authority shall, three months at least before commencing the construction or extension of any sewer or other work for sewage purposes without their district, give notice of the intended work by advertisement in one or more of the local newspapers circulated within the district where the work is to be made.

Notice to be given before commencing sewage works without district.

Such notice shall describe the nature of the intended work, and shall state the intended termini thereof, and the names of the parishes, and the turnpike roads and streets, and other lands (if any) through, across, under, or on which the work is to be made, and shall name a place where a plan of the intended work is open for inspection at all reasonable hours; and a copy of such notice shall be served on the owners or reputed owners, lessees or reputed lessees, and occupiers of the said lands, and on the overseers of such parishes, and on the trustees, surveyors of highways, or other persons having the care of such roads or streets.

**In case of objection, works not to be commenced without sanction of Local Government Board.**

33. If any such owner, lessee, or occupier, or any such overseer, trustee, surveyor, or other person as aforesaid, or any other owner, lessee, or occupier who would be affected by the intended work, objects to such work, and serves notice in writing of such objection on the local authority at any time within the said three months, the intended work shall not be commenced without the sanction of the Local Government Board after such inquiry as hereinafter mentioned, unless such objection is withdrawn.

**Inspector to hold inquiry and report to Local Government Board.**

34. The Local Government Board may, on application of the local authority, appoint an inspector to make inquiry on the spot into the propriety of the intended work and into the objections thereto, and to report to the Local Government Board on the matters with respect to which such inquiry was directed, and on receiving the report of such inspector, the Local Government Board may make an order disallowing or allowing, with such modifications (if any) as they may deem necessary, the intended work.

## PRIVIES, WATERCLOSETS, &amp;c.

35. It shall not be lawful newly to erect any house, **Penalty on building houses without privy accommodation.** or to rebuild any house pulled down to or below the ground floor, without a sufficient watercloset, earthcloset, or privy, and an ashpit furnished with proper doors and coverings.

Any person who causes any house to be erected or rebuilt in contravention of this enactment shall be liable to a penalty not exceeding twenty pounds.

36. If a house within the district of a local authority **Power of local authority to enforce provision of privy accommodation for houses.** appears to such authority, by the report of their surveyor or inspector of nuisances, to be without a sufficient watercloset, earthcloset, or privy, and an ashpit, furnished with proper doors and coverings, the local authority shall, by written notice, require the owner or occupier of the house, within a reasonable time therein specified, to provide a sufficient watercloset, earthcloset, or privy, and an ashpit furnished as aforesaid, or either of them, as the case may require.

If such notice is not complied with, the local authority may, at the expiration of the time specified in the notice, do the work thereby required to be done, and may recover in a summary manner from the owner the expenses incurred by them in so doing, or may by order declare the same to be private improvement expenses: Provided that where a watercloset, earthcloset, or privy has been and is used in common by the inmates of two or more houses, or if, in the opinion of the local authority, a watercloset, earthcloset, or privy may be so used, they need not require the same to be provided for each house.<sup>40</sup>

<sup>40</sup> See *Tinkler v. Wandsworth District Board*, 2 De G. & J. 261; *Vestry of St. Luke's v. Lewis*, 5 L. T. (N. S.) 608.



**As to  
earth-  
closets,**

37. Any enactment in force within the district of any local authority requiring the construction of a water-closet shall be deemed to be satisfied by the construction, with the approval of the local authority, of an earthcloset.

Any local authority may, as respects any house in which any earthcloset is in use with their approval, dispense with the supply of water required by any contract or enactment to be furnished to any watercloset in such house, on such terms as may be agreed on between such authority and the person providing or required to provide such supply of water.

Any local authority may themselves undertake or contract with any person to undertake a supply of dry earth or other deodorizing substance to any house within their district for the purpose of any earthcloset.

In this Act the term "earthcloset" includes any place for the reception and deodorization of faecal matter constructed to the satisfaction of the local authority.

**Privy ac-  
commoda-  
tion for  
factories.**

38. Where it appears to any local authority by the report of their surveyor that any house is used or intended to be used as a factory or building in which persons of both sexes are employed or intended to be employed at one time in any manufacture, trade, or business, the local authority may, if they think fit, by written notice require the owner or occupier of such house, within the time therein specified, to construct a sufficient number of waterclosets, earthclosets, or privies and ashpits, for the separate use of each sex.

Any person who neglects or refuses to comply with any such notice shall be liable for each default to a penalty not exceeding twenty pounds, and to a further penalty not exceeding forty shillings for every day during which the default is continued.

39. Any urban authority may, if they think fit, provide and maintain, in proper and convenient situations, urinals, waterclosets, earthclosets, privies and ashpits, and other similar conveniences for public accommodation.<sup>41</sup>

40. Every local authority shall provide that all drains, waterclosets, earthclosets, privies, ashpits, and cesspools within their district be constructed and kept so as not to be a nuisance or injurious to health.

41. On the written application of any person to a local authority, stating that any drain, watercloset, earthcloset, privy, ashpit, or cesspool, on or belonging to any premises within their district is a nuisance or injurious to health (but not otherwise), the local authority may, by writing, empower their surveyor or inspector of nuisances, after twenty-four hours' written notice to the occupier of such premises, or, in case of emergency, without notice, to enter such premises, with or without assistants, and cause the ground to be opened, and examine such drain, watercloset, earthcloset, privy, ashpit, or cesspool. If the drain, watercloset, earthcloset, privy, ashpit, or cesspool on examination is found to be in proper condition, he shall cause the ground to be closed, and any damage done to be made good as soon as can be, and the expenses of the works shall be defrayed by the local authority. If the drain, watercloset, earthcloset, privy, ashpit, or cesspool on examination appear to be in bad condition, or to require alteration or amendment, the local authority shall forthwith cause notice in writing to be given to the owner or occupier<sup>42</sup> of the premises, re-

Public necessities.

Drains, privies, &c. to be properly kept.

Examination of drains, privies, &c. on complaint of nuisance.

<sup>41</sup> See *Biddulph v. Vestry of St. George's, Hanover Square*, 8 L. T. (N. S.) 558.

<sup>42</sup> *Prima facie* the occupier is responsible. *Russell v. Shenton*, 11 L. J., Q. B. 289, but see *R. v. Pedly*, 1 A. & E. 822.

quiring him forthwith or within a reasonable time therein specified to do the necessary works ; and if such notice is not complied with, the person to whom it is given shall be liable to a penalty, not exceeding ten shillings, for every day during which he continues to make default, and the local authority may, if they think fit, execute such works, and may recover, in a summary manner from the owner, the expenses incurred by them in so doing, or may by order declare the same to be private improvement expenses.

#### SCAVENGING AND CLEANSING.

##### *Regulations as to Streets and Houses.*

**Local authority to provide for cleansing of streets and removal of refuse.**

42. Every local authority may, and when required by order of the Local Government Board shall, themselves undertake or contract for—

The removal of house refuse from premises ;

The cleansing of earthclosets, privies, ashpits, and cesspools ;

either for the whole or any part of their district : Moreover every urban authority and any rural authority invested by the Local Government Board with the requisite powers may, and when required by order of the said Board shall, themselves undertake or contract for the proper cleansing of streets, and may also themselves undertake or contract for the proper watering of streets for the whole or any part of their district.

All matters collected by the local authority or contractor in pursuance of this section may be sold or otherwise disposed of, and any profits thus made by an urban authority shall be carried to the account of the fund or

rate applicable by them for the general purposes of this Act; and any profits thus made by a rural authority in respect of any contributory place shall be carried to the account of the fund or rate out of which expenses incurred under this section by that authority in such contributory place are defrayed.

If any person removes or obstructs the local authority or contractor in removing any matters by this section authorized to be removed by the local authority, he shall for each offence be liable to a penalty not exceeding five pounds: Provided that the occupier of a house within the district shall not be liable to such penalty in respect of any such matters which are produced on his own premises, and are intended to be removed for sale or for his own use, and are in the meantime kept so as not to be a nuisance.

43. If a local authority who have themselves undertaken or contracted for the removal of house refuse from premises, or the cleansing of earthclosets, privies, ash-pits, and cesspools fail, without reasonable excuse, after notice in writing from the occupier of any house within their district, requiring them to remove any house refuse, or to cleanse any earthcloset, privy, ashpit, or cesspool belonging to such house or used by the occupiers thereof, to cause the same to be removed or cleansed, as the case may be, within seven days, the local authority shall be liable to pay to the occupier of such house a penalty not exceeding five shillings for every day during which such default continues after the expiration of the said period.

Penalty on neglect of local authority to remove refuse, &c.

44. Where the local authority do not themselves undertake or contract for—

Power of local authority to make bye-laws imposing

The cleansing of footways and pavements adjoining any premises,

**duty of  
cleansing,  
&c. on oc-  
cupier.**

The removal of house refuse from any premises,  
The cleansing of earthclosets, privies, ashpits, and  
cesspools belonging to any premises,

they may make byelaws imposing the duty of such  
cleansing or removal, at such intervals as they think fit,  
on the occupier of any such premises.

An urban authority may also make byelaws for the  
prevention of nuisances arising from snow, filth, dust,  
ashes, and rubbish, and for the prevention of the keep-  
ing of animals on any premises so as to be injurious  
to health.

**Power to  
provide re-  
ceptacles  
for deposit  
of rubbish.**

45. Any urban authority may, if they see fit, provide  
in proper and convenient situations receptacles for the  
temporary deposit and collection of dust, ashes, and  
rubbish ; they may also provide fit buildings and places  
for the deposit of any matters collected by them in pur-  
suance of this part of this Act.

**Houses to  
be purified,  
on certifi-  
cate of  
officer of  
health, or  
of two me-  
dical prac-  
titioners.**

46. Where, on the certificate of the medical officer of  
health or of any two medical practitioners, it appears to  
any local authority that any house or part thereof is in  
such a filthy or unwholesome condition that the health  
of any person is affected or endangered thereby, or that  
the whitewashing, cleansing, or purifying of any house  
or part thereof would tend to prevent or check infectious  
disease, the local authority shall give notice in writing  
to the owner or occupier of such house or part thereof  
to whitewash, cleanse, or purify the same, as the case  
may require.

If the person to whom notice is so given fails to com-  
ply therewith within the time therein specified, he shall  
be liable to a penalty not exceeding ten shillings for  
every day during which he continues to make default ;

and the local authority may, if they think fit, cause such house or part thereof to be whitewashed, cleansed, or purified, and may recover in a summary manner the expenses incurred by them in so doing from the person in default.

47. Any person who in any urban district—

Penalty in respect of certain nuisances on premises.

(1.) Keeps any swine or pigstye in any dwelling-house, or so as to be a nuisance<sup>43</sup> to any person ; or

(2.) Suffers any waste or stagnant water to remain in any cellar or place within any dwelling-house for twenty-four hours after written notice to him from the urban authority to remove the same ; or

(3.) Allows the contents of any watercloset, privy, or cesspool to overflow or soak therefrom,

shall for every such offence be liable to a penalty not exceeding forty shillings, and to a further penalty not exceeding five shillings for every day during which the offence is continued, and the urban authority shall abate or cause to be abated every such nuisance, and may recover in a summary manner the expenses incurred by them in so doing from the occupier of the premises on which the nuisance exists.

### *Offensive Ditches and Collections of Matter.*

48. Where any watercourse or open ditch lying near or forming the boundary between the district of any local authority and any adjoining district is foul and

Provision for obtaining order for cleansing offensive ditches lying near

<sup>43</sup> See *Digby v. West Ham Local Board*, 22 Justice of the Peace, 304.

to or forming the boundaries of districts.

offensive, so as injuriously to affect the district of such local authority, any justice having jurisdiction in such adjoining district may, on the application of such local authority, summon the local authority of such adjoining district to appear before a court of summary jurisdiction to show cause why an order should not be made by such court for cleansing such watercourse or open ditch, and for executing such permanent or other structural works as may appear to such court to be necessary ; and such court, after hearing the parties, or ex parte in case of the default of any of them to appear, may make such order with reference to the execution of the works, and the persons by whom the same shall be executed, and by whom and in what proportions the costs of such works shall be paid, and also as to the amount thereof, and the time and mode of payment, as to such court may seem reasonable.

Removal of filth on certificate of inspector of nuisances.

49. Where in any urban district it appears to the inspector of nuisances that any accumulation of manure, dung, soil, or filth or other offensive or noxious matter ought to be removed, he shall give notice to the person to whom the same belongs, or to the occupier of the premises whereon it exists, to remove the same ; and if such notice is not complied with within twenty-hours from the service thereof, the manure, dung, soil, or filth or matter referred to shall be vested in and be sold or disposed of by the urban authority, and the proceeds thereof shall be applied in payment of the expenses incurred by them in the execution of this section ; and the surplus (if any) shall be paid on demand to the owner of the matter removed.

The expenses of removal by the urban authority of any such accumulation, if and so far as they are not

covered by the sale thereof, may be recovered by the urban authority in a summary manner from the person to whom the accumulation belongs, or from the occupier of the premises, or (where there is no occupier) from the owner.

50. Notice may be given by any urban authority (by public announcement in the district or otherwise) for the periodical removal of manure or other refuse matter from mews, stables, or other premises; and where any such notice has been given any person to whom the manure or other refuse matter belongs, who fails so to remove the same, or permits a further accumulation, and does not continue such periodical removal at such intervals as the urban authority direct, shall be liable without further notice to a penalty not exceeding twenty shillings for each day during which such manure or other refuse matter is permitted to accumulate.

**Periodical  
removal of  
manure  
from mews  
and other  
premises.**

#### WATER SUPPLY.<sup>44</sup>

##### *Powers of Local Authority in relation to Supply of Water.*

51. Any urban authority may provide their district or any part thereof, and any rural authority may provide their district or any contributory place therein, or any part of any such contributory place, with a supply of water proper and sufficient for public and private purposes, and for those purposes or any of them may—

**General  
powers for  
supplying  
district  
with  
water.**

- (1.) Construct and maintain waterworks, dig wells, and do any other necessary acts; and

<sup>44</sup> This part of the Act is supplemented by the provisions contained in the 41 & 42 Vict. c. 25.



- (2.) Take on lease or hire any waterworks, and (with the sanction of the Local Government Board) purchase any waterworks, or any water or right to take or convey water, either within or without their district, and any rights, powers, and privileges of any water company; and
- (3.) Contract with any person for a supply of water.

**Restri-  
tion on  
construc-  
tion of  
water-  
works by  
local au-  
thority.**

52. Before commencing to construct waterworks within the limits of supply of any water company empowered by Act of Parliament or any order confirmed by Parliament to supply water, the local authority shall give written notice to every water company within whose limits of supply the local authority are desirous of supplying water, stating the purposes for which, and (as far as may be practicable) the extent to which, water is required by the local authority.

It shall not be lawful for the local authority to construct any waterworks within such limits if and so long as any such company are able and willing to supply water proper and sufficient for all reasonable purposes for which it is required by the local authority; and any difference as to whether the water which any such company are able and willing to lay on is proper and sufficient for the purposes for which it is required, or whether the purposes for which it is required are reasonable, or (if and so far as the charges of the company are not regulated by Parliament) as to the terms of supply, shall be settled by arbitration in manner provided by this Act.

**As to con-  
struction  
of reser-  
voirs.**

53. At least two months before commencing to construct under the provisions of this Act any reservoir

(other than a service reservoir or tank which will hold not more than one hundred thousand gallons), the local authority shall give notice of the intended work by advertisement in one or more of the local newspapers circulated within the district where the reservoir is to be constructed.

If any person who would be affected by the intended work objects to such work, and serves notice in writing of such objection on the local authority at any time within the said two months, the intended work shall not be commenced without the sanction of the Local Government Board, after such inquiry as hereinafter mentioned, unless such objection is withdrawn.

The Local Government Board may, on application of the local authority, appoint an inspector to make inquiry on the spot into the propriety of the intended work and into the objections thereto, and to report to the Local Government Board on the matters with respect to which such inquiry was directed ; and on receiving the report of such inspector, the Local Government Board may make an order disallowing or allowing, with such modifications (if any) as they may deem necessary, the intended work.

54. Where a local authority supply water within their district, they shall have the same powers, and be subject to the same restrictions, for carrying water mains within or without their district as they have, and are subject to, for carrying sewers within or without their district respectively by the law for the time being in force. **Power of carrying mains.**

55. A local authority shall provide, and keep in any waterworks constructed or purchased by them, a supply of pure and wholesome water ; and where a local authority lay any pipes for the supply of any of the **As to supply of water.**

inhabitants of their district, the water may be constantly laid on at such pressure as will carry the same to the top story of the highest dwelling-house within the district or part of the district supplied.

**Power to charge water rates and rents.**

56. Where a local authority supply water to any premises, they may charge in respect of such supply a water rate to be assessed on the net annual value of the premises, ascertained in the manner by this Act prescribed with respect to general district rates ; moreover, they may enter into agreements for supplying water on such terms as may be agreed on between them and the persons receiving the supply, and shall have the same powers for recovering water rents, or other payments accruing under such agreements, as they have for recovering water rates.

**Incorporation of certain provisions of the Waterworks Clauses Acts.**

57. For the purpose of enabling any local authority to supply water, there shall be incorporated with this Act the " Waterworks Clauses Act, 1863," and the following provisions of the " Waterworks Clauses Act, 1847 ; " (namely,)

- " With respect " (where the local authority have not the control of the streets) " to the breaking up of streets for the purpose of laying pipes " ; and
- " With respect to the communication pipes to be laid by the undertakers " ; and
- " With respect to the communication pipes to be laid by the inhabitants " ; and
- " With respect to waste or misuse of the water supplied by the undertakers " ; and
- " With respect to the provision for guarding against fouling the water of the undertakers " ; and

“ With respect to the payment and recovery of the water rates.”

Provided,—

That the provisions with respect to the communication pipes to be laid by the undertakers and the inhabitants respectively shall apply only in districts, or parts of districts, where the local authority lay any pipes for the supply of any of the inhabitants thereof ; and

That any dispute, authorized or directed by any of the said incorporated provisions to be settled by an inspector or two justices, shall be settled by a court of summary jurisdiction ; and

That section forty-four of the “ Waterworks Clauses Act, 1847,” shall, for the purposes of this Act, have effect as if the words “ with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner,” were omitted therefrom ; and any rent for pipes and works, paid by an occupier under that section, may be deducted by him from any rent from time to time due from him to such owner.

58. A local authority may agree with any person to **supply water by measure,** and as to the payment to be **made** in the form of rent or otherwise for every meter **provided by them ;** they shall at all times, at their own **expense,** keep all meters and other instruments for **measuring water let by them for hire to any person in proper order for correctly registering the supply of water,** and in default of their so doing, such person shall not

be liable to pay rent for the same during such time as such default continues. The local authority shall, for the purposes aforesaid, have access to, and be at liberty at all reasonable times to remove, test, inspect, and replace any such meter or other instrument.

**Register of  
meter to  
be evi-  
dence.**

59. Where water is supplied by measure by any local authority, the register of the meter, or other instrument for measuring water, shall be *primâ facie* evidence of the quantity of water consumed ; and if the local authority and the consumer differ with respect to the quantity consumed, the difference shall be determined, on the application of either party, by a court of summary jurisdiction ; and such court may order by which of the parties the costs of the proceedings before them shall be paid, and its decision shall be final and binding.

**Penalty  
for injur-  
ing meters.**

60. If any person wilfully, or by culpable negligence, injures, or suffers to be injured, any meter or fittings belonging to a local authority, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts or uses water of the local authority, he shall (without prejudice to any other right or remedy of the local authority) be liable to a penalty not exceeding forty shillings, and the local authority may, in addition thereto, recover the amount of any damage sustained. The existence of artificial means, under the control of the consumer, for causing any such alteration, prevention, abstraction, or use, shall be evidence that the consumer has fraudulently effected the same.

**Power to  
supply  
water to  
authority  
of adjoining  
dis-  
trict.**

61. Any local authority for the time being supplying water within their own district may, with the sanction of the Local Government Board, supply water to the local authority of any adjoining district on such terms as may

be agreed on between such authorities, or as, in case of dispute, may be settled by arbitration in manner provided by this Act.

62. Where, on the report of the surveyor of a local authority, it appears to such authority that any house within their district is without a proper supply of water, and that such a supply of water can be furnished thereto at a cost not exceeding the water rate authorized by any local Act in force within the district, or where there is not any local Act so in force at a cost not exceeding two-pence a week, or at such other cost as the Local Government Board may, on the application of the local authority, determine under all the circumstances of the case to be reasonable,<sup>45</sup> the local authority shall give notice in writing to the owner, requiring him, within a time therein specified, to obtain such supply, and to do all such works as may be necessary for that purpose.

Local authority may require houses to be supplied with water in certain cases.

If such notice is not complied with within the time specified, the local authority may, if they think fit, do such works and obtain such supply, and for that purpose may enter into any contract with any water company supplying water within their district; and water rates may be made and levied on the premises by the authority or company which furnishes the supply, and may be recovered as if the owner or occupier of the premises had demanded a supply of water and were willing to pay water rates for the same, and any expenses incurred by

<sup>45</sup> The Board may fix by order a general scale of charges for the whole or any part of the district of the local authority, and the cost of the supply of water to any house within the area specified in the order shall be deemed to be determined to be a reasonable cost within the meaning of this section, if it does not exceed the cost authorized by such general scale of charges, 41 & 42 Vict. c. 25, s. 8.

the local authority in doing any such works may be recovered in a summary manner from the owner of the premises, or may, by order of the local authority, be declared to be private improvement expenses.

**Powers of water company for supplying water to local authority.**

63. Any water company may contract to supply water, or may lease their waterworks, to any local authority ; and the directors of any water company, in pursuance, in the case of a company registered under the "Companies Act, 1862," of a special resolution of the members passed in manner provided by that Act, and in the case of any other company of a resolution passed by three-fourths in number and value of the members present, either personally or by proxy, at a meeting specially convened with notice of the business to be transacted, may sell and transfer to any local authority, on such terms as may be agreed on between the company and the local authority, all the rights, powers, and privileges, and all or any of the waterworks, premises, and other property of the company, but subject to all liabilities to which the same are subject at the time of such purchase.

**Vesting of public cisterns, &c. in local authority.**

64. All existing public cisterns, pumps, wells, reservoirs, conduits, aqueducts, and works, used for the gratuitous supply of water to the inhabitants of the district of any local authority shall vest in and be under the control of such authority, and such authority may cause the same to be maintained and plentifully supplied with pure and wholesome water,<sup>46</sup> or may substitute, maintain, and plentifully supply with pure and wholesome water other such works equally convenient ; they may also (subject to the provisions of this Act) construct

<sup>46</sup> Vice-Chancellor Bacon held that this did not authorize that body to enter upon another man's land and help themselves. *Edwards v. Jolliffe*, 12 W. N. 120. (1877.)

any other such works for supplying water for the gratuitous use of any inhabitants who choose to carry the same away, not for sale, but for their own private use.

65. Any local authority may, if they think fit, supply water from any waterworks purchased or constructed by them to any public baths or wash-houses, or for trading or manufacturing purposes, on such terms and conditions as may be agreed on between the local authority and the persons desirous of being so supplied; moreover, any local authority may, if they think fit, construct any works for the gratuitous supply of any public baths or wash-houses established otherwise than for private profit or supported out of any poor or borough rates.

**Water for public baths, or trading or manufacturing purposes.**

66. Every urban authority shall cause fire-plugs and all necessary works, machinery, and assistance for securing an efficient supply of water in case of fire to be provided and maintained, and for this purpose they may enter into any agreement with any water company or person; and they shall paint or mark on the buildings and walls within the streets words or marks near to such fire-plugs to denote the situation thereof, and do such other things for the purposes aforesaid as they may deem expedient.

**Duty of urban authority to provide fire-plugs.**

67. In the Oxford or Cambridge district the local authority may supply water to any hall, college, or premises of the university within such district, on such terms with respect to the mode of paying for such supply as may from time to time be agreed on between such university, or any hall or college thereof, and the local authority.

**Agreements with universities.**



*Provisions for Protection of Water.*

**Penalty  
for caus-  
ing water  
to be cor-  
rupted by  
gas wash-  
ings.**

68. Any person engaged in the manufacture of gas who—

- (1.) Causes or suffers to be brought or to flow into any stream, reservoir, aqueduct, pond, or place for water, or into any drain or pipe communicating therewith, any washing or other substance produced in making or supplying gas ; or,
- (2.) Wilfully does any act connected with the making or supplying of gas whereby the water in any such stream, reservoir, aqueduct, pond, or place for water is fouled,

shall forfeit for every such offence the sum of two hundred pounds, and, after the expiration of twenty-four hours' notice from the local authority or the person to whom the water belongs in that behalf, a further sum of twenty pounds for every day during which the offence is continued or during the continuance of the act whereby the water is fouled.

Every such penalty may be recovered, with full costs of suit, in any of the superior courts, in the case of water belonging to or under the control of the local authority by the local authority, and in any other case by the person into whose water such washing or other substance is conveyed or flows, or whose water is fouled by any such act as aforesaid, or in default of proceedings by such person, after notice to him from the local authority of their intention to proceed for such penalty, by the local authority ; but such penalty shall not be recover-

able unless it be sued for during the continuance of the offence, or within six months after it has ceased.

69. Any local authority, with the sanction of the Attorney-General, may, either in their own name or in the name of any other person, with the consent of such person, take such proceedings by indictment, bill in Chancery, action, or otherwise, as they may deem advisable for the purpose of protecting any watercourse within their jurisdiction from pollutions arising from sewage either within or without their district; and the costs of and incidental to any such proceedings, including any costs that may be awarded to the defendant, shall be deemed to be expenses properly incurred by such authority in the execution of this Act.

Local authority may take proceedings to prevent pollution of streams.

70. On the representation of any person to any local authority that within their district the water in any well, tank, or cistern, public or private, or supplied from any public pump, and used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, is so polluted as to be injurious to health, such authority may apply to a court of summary jurisdiction for an order to remedy the same; and thereupon such court shall summon the owner or occupier of the premises to which the well, tank, or cistern belongs, if it be private, and in the case of a public well, tank, cistern, or pump, any person alleged in the application to be interested in the same, and may either dismiss the application, or may make an order directing the well, tank, cistern or pump to be permanently or temporarily closed, or the water to be used for certain purposes only, or such other order as may appear to them to be requisite to

Power to close polluted wells, &c.

prevent injury to the health of persons drinking the water.

The court may, if they see fit, cause the water complained of to be analyzed at the cost of the local authority applying to them under this section.

If the person on whom an order under this section is made fails to comply with the same, the court may, on the application of the local authority, authorize them to do whatever may be necessary in the execution of the order, and any expenses incurred by them may be recovered in a summary manner from the person on whom the order is made.

Expenses incurred by any rural authority in the execution of this section, and not recovered by them as aforesaid, shall be special expenses.

#### REGULATION OF CELLAR DWELLINGS AND LODGING- HOUSES.

##### *Occupation of Cellar Dwellings.*

**Prohibition of occupying cellar dwellings.**

71. It shall not be lawful to let or occupy, or suffer to be occupied separately as a dwelling, any cellar (including for the purposes of this Act in that expression any vault or underground room) built or rebuilt after the passing of this Act, or which is not lawfully so let or occupied at the time of the passing of this Act.

**Existing cellar dwellings only to be let or occupied on**

72. It shall not be lawful to let or occupy, or suffer to be occupied separately as a dwelling, any cellar whatsoever, unless the following requisitions are complied with; (that is to say,)

Unless the cellar is in every part thereof at least seven feet in height, measured from the floor to the ceiling thereof, and is at least three feet of its height above the surface of the street or ground adjoining or nearest to the same; and <sup>certain conditions.</sup>

Unless there is outside of and adjoining the cellar and extending along the entire frontage thereof, and upwards from six inches below the level of the floor thereof up to the surface of the said street or ground, an open area of at least two feet and six inches wide in every part; and

Unless the cellar is effectually drained by means of a drain, the uppermost part of which is one foot at least below the level of the floor thereof; and

Unless there is appurtenant to the cellar the use of a watercloset, earthcloset or privy, and an ashpit, furnished with proper doors and coverings, according to the provisions of this Act; and

Unless the cellar has a fireplace with a proper chimney or flue, and an external window of at least nine superficial feet in area clear of the sash frame, and made to open in a manner approved by the surveyor (except in the case of an inner or back cellar let or occupied along with a front cellar as part of the same letting or occupation, in which case the external window may be of any dimensions not being less than four superficial feet in area clear of the sash frame).

Provided that in any area adjoining a cellar there may be steps necessary for access to such cellar, if the same be so placed as not to be over, across, or opposite to the said external window, and so as to allow between every part of such steps and the external wall of such cellar a clear space of six inches at the least, and that over or across any such area there may be steps necessary for access to any building above the cellar to which such area adjoins, if the same be so placed as not to be over, across, or opposite to any such external window.

**Penalty on persons offending against enactment.**

73. Any person who lets, occupies, or knowingly suffers to be occupied, for hire or rent, any cellar contrary to the provisions of this Act shall be liable for every such offence to a penalty not exceeding twenty shillings for every day during which the same continues to be so let or occupied after notice in writing from the local authority in this behalf.

**Definition of occupying as a dwelling.**

74. Any cellar in which any person passes the night shall be deemed to be occupied as a dwelling within the meaning of this Act.

**Power to close cellars in case of two convictions.**

75. Where two convictions against the provisions of any Act relating to the occupation of a cellar as a separate dwelling-place have taken place within three months (whether the persons so convicted were or were not the same), a court of summary jurisdiction may direct the closing of the premises so occupied for such time as it may deem necessary, or may empower the local authority permanently to close the same, and to defray any expenses incurred by them in the execution of this section.

*Common Lodging-houses.*

76. Every local authority shall keep a register, in which shall be entered the names and residences of the keepers of all common lodging-houses within the district of such authority, and the situation of every such house, and the number of lodgers authorized under this Act by such authority to be received therein.

**Registers of common lodging-houses to be kept.**

A copy of any entry in such register, certified by the clerk of the local authority to be a true copy, shall be received in all courts and on all occasions as evidence, and shall be sufficient proof of the matter registered, without production of the register or of any document or thing on which the entry is founded ; and a certified copy of any such entry shall be supplied gratis by the clerk to any person applying at a reasonable time for the same.

77. A person shall not keep a common lodging-house or receive a lodger therein unless the house is registered in accordance with the provisions of this Act ; nor unless his name as the keeper thereof is entered in the register kept under this Act : Provided that when the person so registered dies, his widow or any member of his family may keep the house as a common lodging-house for not more than four weeks after his death without being registered as the keeper thereof.

**All common lodging-houses to be registered, and to be kept only by registered keepers.**

78. A house shall not be registered as a common lodging-house until it has been inspected and approved for the purpose by some officer of the local authority ; and the local authority may refuse to register as the keeper of a common lodging-house a person who does not produce to the local authority a certificate of

**Local authority may refuse to register houses.**

character, in such form as the local authority direct, signed by three inhabitant householders of the parish respectively rated to the relief of the poor of the parish within which the lodging-house is situate for property of the yearly rateable value of six pounds or upwards.

**Notice of registration to be affixed to houses.**

79. The keeper of every common lodging-house shall, if required in writing by the local authority so to do, affix and keep undefaced and legible a notice with words "Registered Common Lodging-house" in some conspicuous place on the outside of such house.

The keeper of any such house who, after requisition in writing from the local authority, refuses or neglects to affix or renew such notice, shall be liable to a penalty not exceeding five pounds, and to a further penalty of ten shillings for every day that such refusal or neglect continues after conviction.

**Byelaws to be made by local authority.**

80. Every local authority shall from time to time make byelaws—

- (1.) For fixing, and from time to time varying, the number of lodgers who may be received into a common lodging-house, and for the separation of the sexes therein ; and,
- (2.) For promoting cleanliness and ventilation in such houses ; and,
- (3.) For the giving of notices and the taking precautions in the case of any infectious disease ; and,
- (4.) Generally for the well ordering of such houses.

**Power to local authority to require supply of water to houses.**

81. Where it appears to any local authority that a common lodging-house is without a proper supply of water for the use of the lodgers, and that such a supply can be furnished thereto at a reasonable rate, the local

authority may by notice in writing require the owner or keeper of such house, within a time specified therein, to obtain such supply, and to do all works necessary for that purpose ; and if the notice be not complied with accordingly, the local authority may remove such house from the register until it is complied with.

82. The keeper of a common lodging-house shall, to the satisfaction of the local authority, limewash the walls and ceilings thereof in the first week of each of the months of April and October in every year, and shall if he fails to do so be liable to a penalty not exceeding forty shillings. **Lime-washing of houses.**

83. The keeper of a common lodging-house in which beggars or vagrants are received to lodge shall, from time to time, if required in writing by the local authority so to do, report to the local authority, or to such person as the local authority direct, every person who resorted to such house during the preceding day or night, and for that purpose schedules shall be furnished by the local authority to the person so ordered to report, which schedules he shall fill up with the information required and transmit to the local authority. **Power to order reports from keepers of houses receiving vagrants.**

84. The keeper of a common lodging-house shall, when a person in such house is ill of fever or any infectious disease, give immediate notice thereof to the medical officer of health of the local authority, and also to the poor law relieving officer of the union or parish in which the common lodging-house is situated. **Keepers to give notice of fever, &c. therein.**

85. The keeper of a common lodging-house, and every other person having or acting in the care or management thereof, shall, at all times when required by any officer of the local authority, give him free access to such house or any part thereof ; and any such keeper **As to inspection.**



or person who refuses such access shall be liable to a penalty not exceeding five pounds.

**Offences by  
keepers of  
houses.**

86. Any keeper of a common lodging-house who—

- (1.) Receives any lodger in such house without the same being registered under this Act; or,
- (2.) Fails to make a report, after he has been furnished by the local authority with schedules for the purpose in pursuance of this Act, of the persons resorting to such house; or,
- (3.) Fails to give the notices required by this Act where any person has been confined to his bed in such house by fever or other infectious disease,

shall be liable to a penalty not exceeding five pounds, and in the case of a continuing offence to a further penalty not exceeding forty shillings for every day during which the offence continues.

**Evidence  
as to  
family in  
proceed-  
ings.**

87. In any proceedings under the provisions of this Act relating to common lodging-houses, if the inmates of any house or part of a house allege that they are members of the same family, the burden of proving such allegation shall lie on the persons making it.

**Conviction  
for third  
offence to  
disqualify  
persons  
from keep-  
ing com-  
mon lodg-  
ing-house.**

88. Where the keeper of a common lodging-house is convicted of a third offence against any of the provisions of this Act relating to common lodging-houses, the court before whom the conviction for such third offence takes place may, if it thinks fit, adjudge that he shall not at any time within five years after the conviction, or within such shorter period after the conviction as the court thinks fit, keep a common lodging-house without

the previous license in writing of the local authority, which license the local authority may withhold or grant on such terms and conditions as they think fit.

89. For the purposes of this Act the expression "common lodging-house" includes, in any case in which only part of a house is used as a common lodging-house, the part so used of such house.

**Interpretation of "common lodging-house."**

*Byelaws as to Houses let in Lodgings.*

90. The Local Government Board may, if they think fit, by notice published in the *London Gazette*, declare the following enactment to be in force within the district or any part of the district of any local authority, and from and after the publication of such notice such authority shall be empowered to make byelaws for the following matters ; (that is to say,)

**Local Government Board may empower local authority to make byelaws as to lodging-houses.**

- (1.) For fixing, and from time to time varying, the number of persons who may occupy a house or part of a house which is let in lodgings or occupied by members of more than one family, and for the separation of the sexes in a house so let or occupied :
- (2.) For the registration of houses so let or occupied :
- (3.) For the inspection of such houses :
- (4.) For enforcing drainage and the provision of privy accommodation for such houses, and for promoting cleanliness and ventilation in such houses :
- (5.) For the cleansing and limewashing at stated times of the premises, and for the paving of the courts and courtyards thereof :

- (6.) For the giving of notices and the taking of precautions in case of any infectious disease.

This section shall not apply to common lodging-houses within the provisions of this Act relating to common lodging-houses.

### NUISANCES.

**Definition  
of nui-  
sances.**

**91. For the purposes of this Act,—**

1. Any premises in such a state as to be a nuisance or injurious to health:
2. Any pool, ditch, gutter, watercourse, privy, urinal, cesspool, drain, or ashpit so foul or in such a state as to be a nuisance or injurious to health:
3. Any animal so kept as to be a nuisance<sup>47</sup> or injurious to health:
4. Any accumulation or deposit which is a nuisance or injurious to health:
5. Any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates, whether or not members of the same family:
6. Any factory, workshop, or workplace (not already under the operation of any general Act for the regulation of factories or bakehouses), not kept in a cleanly state, or not ventilated in such a manner as to render harmless (as far as practicable) any gases, vapours, dust, or other impurities generated in the course of the work

<sup>47</sup> See *Broder v. Saillard*, L. R. 2, Ch. Div. 692.

carried on therein that are a nuisance or injurious to health, or so overcrowded while work is carried on as to be dangerous or injurious to the health of those employed therein:

7. Any fireplace or furnace which does not as far as practicable consume the smoke arising from the combustible used therein, and which is used for working engines by steam, or in any mill, factory, dyehouse, brewery, bakehouse, or gas-work, or in any manufacturing or trade process whatsoever; and

Any chimney (not being the chimney of a private dwelling-house) sending forth black smoke in such quantity as to be a nuisance,

shall be deemed to be nuisances liable to be dealt with summarily in manner provided by this Act: Provided—

First. That a penalty shall not be imposed on any person in respect of any accumulation or deposit necessary for the effectual carrying on any business or manufacture if it be proved to the satisfaction of the court that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury thereby to the public health:

Secondly. That where a person is summoned before any court in respect of a nuisance<sup>48</sup> arising from

<sup>48</sup> See *R. v. Waterhouse*, L. R. 7 2 B. 545; *Gaskell v. Bailey*, 38 Justice of the Peace, 293.

a fireplace or furnace which does not consume the smoke arising from the combustible used in such fireplace or furnace, the court shall hold that no nuisance is created within the meaning of this Act, and dismiss the complaint, if it is satisfied that such fireplace or furnace is constructed in such manner as to consume as far as practicable, having regard to the nature of the manufacture or trade, all smoke arising therefrom, and that such fireplace or furnace has been carefully attended to by the person having the charge thereof.

**Duty of local authority to inspect district for detection of nuisances.**

92. It shall be the duty of every local authority to cause to be made, from time to time, inspection of their district, with a view to ascertain what nuisances exist calling for abatement under the powers of this Act, and to enforce the provisions of this Act in order to abate the same ; also to enforce the provisions of any Act in force within their district requiring fireplaces and furnaces to consume their own smoke.

**Information of nuisances to local authority.**

93. Information of any nuisance under this Act in the district of any local authority may be given to such local authority by any person aggrieved thereby, or by any two inhabitant householders of such district, or by any officer of such authority, or by the relieving officer, or by any constable or officer of the police force of such district.

**Local authority to serve notice requiring abatement of nuisance.**

94. On the receipt of any information respecting the existence of a nuisance, the local authority shall, if satisfied of the existence of a nuisance, serve a notice on the person by whose act, default, or sufferance the nuisance arises or continues, or, if such person cannot be found,

on the owner or occupier of the premises on which the nuisance arises, requiring him to abate the same within a time to be specified in the notice, and to execute such works, and do such things as may be necessary for that purpose : Provided—

First, That where the nuisance arises from the want or defective construction of any structural convenience, or where there is no occupier of the premises, notice under this section shall be served on the owner :

Secondly. That where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act, default, or sufferance of the owner or occupier of the premises, the local authority may themselves abate the same without further order.

95. If the person on whom a notice to abate a nuisance has been served makes default in complying with any of the requisitions thereof within the time specified, or if the nuisance, although abated since the service of the notice, is, in the opinion of the local authority, likely to recur on the same premises, the local authority shall cause a complaint relating to such nuisance to be made before a justice, and such justice shall thereupon issue a summons requiring the person on whom the notice was served to appear before a court of summary jurisdiction.

*On non-compliance with notice complaint to be made to justice.*

96. If the court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the court shall make an order on such person requiring him to comply with all or any of the requisitions of the notice, or otherwise to abate the

*Power of court of summary jurisdiction to make order dealing with nuisance.*

nuisance within a time specified in the order, and to do any works necessary for that purpose ; or an order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent the recurrence ; or an order both requiring abatement and prohibiting the recurrence of the nuisance.

The court may by their order impose a penalty not exceeding five pounds on the person on whom the order is made, and shall also give directions as to the payment of all costs incurred up to the time of the hearing or making the order for abatement or prohibition of the nuisance.

**Order of prohibition in case of house unfit for human habitation.**

97. Where the nuisance proved to exist is such as to render a house or building, in the judgment of the court, unfit for human habitation, the court may prohibit the using thereof for that purpose until, in its judgment, the house or building is rendered fit for that purpose ; and on the court being satisfied that it has been rendered fit for that purpose the court may determine its previous order by another, declaring the house or building habitable, and from the date thereof such house or building may be let or inhabited.

**Penalty for contravention of order of court.**

98. Any person not obeying an order to comply with the requisitions of the local authority or otherwise to abate the nuisance, shall, if he fails to satisfy the court that he has used all due diligence to carry out such order, be liable to a penalty not exceeding ten shillings per day during his default ; and any person knowingly and wilfully acting contrary to an order of prohibition shall be liable to a penalty not exceeding twenty shillings per day during such contrary action ; moreover, the local authority may enter the premises to which any order relates, and abate the nuisance, and do whatever

may be necessary in execution of such order, and recover in a summary manner the expenses incurred by them from the person on whom the order is made.

99. Where any person appeals against an order to the court of quarter sessions in manner provided by this Act no liability to penalty shall arise, nor shall any proceedings be taken or work be done under such order, until after the determination of such appeal, unless such appeal ceases to be prosecuted. **Appeal against order.**

100. Whenever it appears to the satisfaction of the court of summary jurisdiction that the person by whose act or default the nuisance arises, or the owner or occupier of the premises is not known or cannot be found, then the order of the court may be addressed to and executed by the local authority. **In certain cases order may be addressed to local authority.**

101. Any matter or thing removed by the local authority in abating any nuisance under this Act may be sold by public auction ; and the money arising from the sale may be retained by the local authority, and applied in payment of the expenses incurred by them with reference to such nuisance, and the surplus (if any) shall be paid, on demand, to the owner of such matter or thing. **Power to sell manure, &c.**

102. The local authority, or any of their officers, shall be admitted into any premises for the purpose of examining as to the existence of any nuisance thereon, or of enforcing the provisions of any Act in force within the district requiring fireplaces and furnaces to consume their own smoke, at any time between the hours of nine in the forenoon and six in the afternoon, or in the case of a nuisance arising in respect of any business, then at any hour when such business is in progress or is usually carried on. **Power of entry of local authority.**



Where under this Act a nuisance has been ascertained to exist, or an order of abatement or prohibition has been made, the local authority or any of their officers shall be admitted from time to time into the premises between the hours aforesaid, until the nuisance is abated, or the works ordered to be done are completed, as the case may be.

Where an order of abatement or prohibition has not been complied with, or has been infringed, the local authority, or any of their officers, shall be admitted from time to time at all reasonable hours, or at all hours during which business is in progress or is usually carried on, into the premises where the nuisance exists, in order to abate the same.

If admission to premises for any of the purposes of this section is refused, any justice, on complaint thereof on oath by any officer of the local authority (made after reasonable notice in writing of the intention to make the same, has been given to the person having custody of the premises), may, by order under his hand, require the person having custody of the premises to admit the local authority, or their officer, into the premises during the hours aforesaid; and if no person having custody of the premises can be found, the justice shall, on oath made before him of that fact, by order under his hand, authorize the local authority or any of their officers to enter such premises during the hours aforesaid.

Any order made by a justice for admission of the local authority or any of their officers on premises shall continue in force until the nuisance has been abated, or the work for which the entry was necessary has been done.

**Penalty** 103. Any person who refuses to obey an order of a

justice for admission of the local authority or any of their officers on any premises shall be liable to a penalty not exceeding five pounds. for disobedience of order.

104. All reasonable costs and expenses incurred in making a complaint, or giving notice, or in obtaining any order of the court or any justice, in relation to a nuisance under this Act, or in carrying the same into effect, shall be deemed to be money paid for the use and at the request of the person on whom the order is made ; or if the order is made on the local authority, or if no order is made, but the nuisance is proved to have existed when the complaint was made or the notice given, then of the person by whose act or default the nuisance was caused ; and in case of nuisances caused by the act or default of the owner of premises, such costs and expenses may be recovered from any person who is for the time being owner of such premises : Provided that such costs and expenses shall not exceed in the whole one year's rackrent of the premises. Costs and expenses of execution of provisions relating to nuisances.

Such costs and expenses, and any penalties incurred in relation to any such nuisance, may be recovered in a summary manner or in any county or superior court ; and the court shall have power to divide costs, expenses, and penalties between persons by whose acts or defaults a nuisance is caused as to it may seem just.

Any costs and expenses recoverable under this section by a local authority from an owner of premises may be recovered from the occupier for the time being of such premises ; and the owner shall allow such occupier to deduct any moneys which he pays under this enactment out of the rent from time to time becoming due in respect of the said premises, as if the same had been actually paid to such owner as part of such rent :

Provided, that no such occupier shall be required to pay any further sum than the amount of rent for the time being due from him, or which, after demand of such costs or expenses from such occupier, and after notice not to pay his landlord any rent without first deducting the amount of such costs or expenses, becomes payable by such occupier, unless he refuses, on application to him by the local authority, truly to disclose the amount of his rent, and the name and address of the person to whom such rent is payable ; but the burden of proof that the sum demanded from any such occupier is greater than the rent due by him at the time of such notice, or which has since accrued, shall lie on such occupier.

Provided also, that nothing herein contained shall affect any contract between any owner or occupier of any house, building, or other property whereby it is or may be agreed that the occupier shall pay or discharge all rates, dues, and sums of money payable in respect of such house, building, or other property, or to affect any contract whatsoever between landlord and tenant.

**Power of individual to complain to justice of nuisance.**

105. Complaint may be made to a justice of the existence of a nuisance under this Act on any premises within the district of any local authority by any person aggrieved thereby, or by any inhabitant of such district, or by any owner of premises within such district, and thereupon the like proceedings shall be had with the like incidents and consequences as to making of orders, penalties for disobedience of orders, appeal, and otherwise, as in the case of a complaint relating to a nuisance made to a justice by the local authority :

Provided that the court may, if it thinks fit, adjourn the hearing or further hearing of the summons for an

examination of the premises where the nuisance is alleged to exist, and may authorize the entry into such premises of any constable or other person for the purposes of such examination :

Provided also, that the court may authorize any constable or other person to do all necessary acts for executing an order made under this section, and to recover the expenses from the person on whom the order is made in a summary manner.

Any constable or other person authorized under this section shall have the like powers, and be subject to the like restrictions, as if he were an officer of the local authority authorized under the provisions of this Act relating to nuisances to enter any premises and do any acts thereon.

106. Where it is proved to the satisfaction of the Local Government Board that a local authority have made default in doing their duty in relation to nuisances under this Act, the Local Government Board may authorize any officer of police acting within the district of the defaulting authority to institute any proceeding which the defaulting authority might institute with respect to such nuisances, and such officer may recover in a summary manner, or in any county or superior court, any expenses incurred by him, and not paid by the person proceeded against, from the defaulting authority :

Power of officer of police to proceed in certain cases against nuisances.

But such officer of police shall not be at liberty to enter any house, or part of a house, used as the dwelling of any person, without such person's consent, or without the warrant of a justice, for the purpose of carrying into effect this enactment.

107. Any local authority may, if in their opinion summary proceedings would afford an inadequate remedy, Local authority may take

**proceedings in superior court for abatement of nuisances.**

cause any proceedings to be taken against any person in any superior court of law or equity to enforce the abatement or prohibition of any nuisance under this Act, or for the recovery of any penalties from, or for the punishment of any persons offending against the provisions of this Act relating to nuisances, and may order the expenses of and incident to all such proceedings to be paid out of the fund or rate applicable by them to the general purposes of this Act.

**Power to proceed where cause of nuisance arises without district.**

108. Where a nuisance under this Act within the district of local authority appears to be wholly or partially caused by some act or default committed or taking place without their district, the local authority may take, or cause to be taken, against any person in respect of such act or default, any proceedings in relation to nuisances by this Act authorized, with the same incidents and consequences, as if such act or default were committed or took place wholly within their district ; so, however, that summary proceedings shall in no case be taken otherwise than before a court having jurisdiction in the district where the act or default is alleged to be committed or take place.

This section shall extend to the metropolis so far as to authorize proceedings to be taken under it by any nuisance authority in the metropolis in respect of any nuisance within the area of their jurisdiction caused by an act or default committed or taking place within the district of a local authority under this Act ; or by any such local authority in respect to any nuisance within their district caused by an act or default committed or taking place within the jurisdiction of any such nuisance authority.

In this section "nuisance authority" means the local

authority in the metropolis for the execution of the "Nuisances Removal Act for England, 1855," and the Acts amending the same.

109. Where two convictions against the provisions of any Act relating to the overcrowding of a house have taken place within a period of three months (whether the persons convicted were or were not the same), a court of summary jurisdiction may, on the application of the local authority of the district in which the house is situated, direct the closing of the house for such period as the court may deem necessary.

110. For the purpose of the provisions of this Act relating to nuisances, any ship or vessel lying in any river, harbour, or other water within the district of a local authority shall be subject to the jurisdiction of that authority in the same manner as if it were a house within such district; and any ship or vessel lying in any river, harbour, or other water not within the district of a local authority shall be deemed to be within the district of such local authority as may be prescribed by the Local Government Board, and where no local authority has been prescribed, then of the local authority whose district nearest adjoins the place where such ship or vessel is lying.

The master or other officer in charge of any such ship or vessel shall be deemed, for the purpose of the said provisions, to be the occupier of such ship or vessel.

This section shall not apply to any ship or vessel under the command or charge of any officer bearing Her Majesty's commission, or to any ship or vessel belonging to any foreign government.

111. The provisions of this Act relating to nuisances

Provision  
in case of  
two con-  
victions  
for over-  
crowding.

Provision  
as to ships.

Provisions  
of Act re-

relating to  
nuisances  
not to  
affect  
other  
remedies.

shall be deemed to be in addition to, and not to abridge or affect any right, remedy, or proceeding under any other provisions of this Act or under any other Act, or at law, or in equity :

Provided that no person shall be punished for the same offence both under the provisions of this Act relating to nuisances, and under any other law or enactment.

#### OFFENSIVE TRADES.

Restric-  
tion on es-  
tablish-  
ment of  
offensive  
trade in  
urban dis-  
trict.

112. Any person who, after the passing of this Act, establishes within the district of an urban authority, without their consent in writing, any offensive trade ; that is to say, the trade of—

Blood boiler, or

Bone boiler, or

Fellmonger, or

Soap boiler, or

Tallow melter, or

Tripe boiler, or

Any other noxious or offensive trade,<sup>49</sup> business, or manufacture,

shall be liable to a penalty not exceeding fifty pounds in respect of the establishment thereof, and any person carrying on a business so established shall be liable to a penalty not exceeding forty shillings for every day on which the offence is continued, whether there has or has not been any conviction in respect of the establishment thereof.

<sup>49</sup> See *Wanstead Local Board v. Hill*, 7 L.T., N.S. 744 ; *Hodgson v. Liverpool Co.*, L.R. 2, Q. B. 131.

113. Any urban authority may from time to time make byelaws with respect to any offensive trades established with their consent, either before or after the passing of this Act, in order to prevent or diminish the noxious or injurious effects thereof.

Byelaws  
as to offen-  
sive trades  
in urban  
district.

114. Where any candle-house, melting-house, melting-place, or soap-house, or any slaughter-house, or any building or place for boiling offal or blood, or for boiling, burning, or crushing bones, or any manufactory, building, or place used for any trade, business process, or manufacture causing effluvia, is certified to any urban authority by their medical officer of health, or by any two legally qualified medical practitioners, or by any ten inhabitants of the district of such urban authority, to be a nuisance or injurious to the health of any of the inhabitants of the district, such urban authority shall direct complaint to be made before a justice, who may summon the person by or on whose behalf the trade so complained of is carried on to appear before a court of summary jurisdiction.

Duty of  
urban au-  
thority to  
complain  
to justice  
of nuisance  
arising  
from offen-  
sive trade.

The court shall inquire into the complaint, and if it appears to the court that the business carried on by the person complained of is a nuisance, or causes any effluvia which is a nuisance or injurious to the health of any of the inhabitants of the district, and unless it be shown that such person has used the best practicable means for abating such nuisance, or preventing or counteracting such effluvia, the person so offending (being the owner or occupier of the premises, or being a foreman or other person employed by such owner or occupier) shall be liable to a penalty not exceeding five pounds nor less than forty shillings, and on a second and any subsequent conviction to a penalty



double the amount of the penalty imposed for the last preceding conviction, but the highest amount of such penalty shall not in any case exceed the sum of two hundred pounds :

Provided, that the court may suspend its final determination on condition that the person complained of undertakes to adopt, within a reasonable time, such means as the court may deem to be practicable, and order to be carried into effect for abating such nuisance, or mitigating or preventing the injurious effects of such effluvia, or if such person gives notice of appeal to the court of quarter sessions in manner provided by this Act.

Any urban authority may, if they think fit, on such certificate as is in this section mentioned, cause to be taken any proceedings in any superior court of law or equity against any person in respect of the matters alleged in such certificate.

**Power to  
proceed  
where nuisance  
arises from  
offensive  
trade carried on  
without  
district.**

115. Where any house, building, manufactory, or place which is certified in pursuance of the last preceding section to be a nuisance, or injurious to the health of any of the inhabitants of the district of an urban authority, is situated without such district, such urban authority may take or cause to be taken any proceedings by that section authorized in respect of the matters alleged in the certificate, with the same incidents and consequences as if the house, building, manufactory, or place were situated within such district; so, however, that summary proceedings shall not in any case be had otherwise than before a court having jurisdiction in the district where the house, building, manufactory, or place is situated.

This section shall extend to the metropolis so far as

to authorize proceedings to be taken under it by any nuisance authority in the metropolis in respect of any house, building, manufactory, or place which is certified as aforesaid to be a nuisance, or injurious to the health of any of the inhabitants within the area of their jurisdiction, and is situated within the district of a local authority under this Act; or by any urban authority in respect of any house, building, manufactory, or place which is certified as aforesaid to be a nuisance, or injurious to the health of any of the inhabitants of their district, and is situated within the jurisdiction of any such nuisance authority.

In this section "nuisance authority" means the local authority in the metropolis for the execution of the "Nuisances Removal Act for England, 1855," and the Acts amending the same.

#### UN SOUND MEAT, &C.

116. Any medical officer of health or inspector of nuisances may at all reasonable times inspect and examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale, and intended for the food of man, the proof that the same was not exposed or deposited for any such purpose, or was not intended for the food of man, resting with the party charged; and if any such animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk appears to such medical officer or inspector to be diseased or unsound, or unwholesome, or unfit for the food of man, he may seize and carry away the same himself or by an

**Power of  
medical  
officer of  
health to  
inspect  
meat, &c.**

assistant, in order to have the same dealt with by a justice.

**Power of justice to order destruction of unsound meat, &c.**

117. If it appears to the justice that any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk so seized is diseased or unsound, or unwholesome, or unfit for the food of man, he shall condemn the same, and order it to be destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man; and the person to whom the same belongs, or did belong at the time of exposure for sale, or in whose possession or on whose premises the same was found, shall be liable to a penalty not exceeding twenty pounds for every animal, carcase, or fish, or piece of meat, flesh, or fish, or any poultry or game, or for the parcel of fruit, vegetables, corn, bread, or flour, or for the milk so condemned, or, at the discretion of the justice, without the infliction of a fine, to imprisonment for a term of not more than three months.

The justice who, under this section, is empowered to convict the offender may be either the justice who may have ordered the article to be disposed of or destroyed, or any other justice having jurisdiction in the place.

**Penalty for hindering officer from inspecting meat, &c.**

118. Any person who in any manner prevents any medical officer of health or inspector of nuisances from entering any premises and inspecting any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk exposed or deposited for the purpose of sale, or of preparation for sale, and intended for the food of man, or who obstructs or impedes any such medical officer or inspector or his assistant, when carrying into execution the provisions of this Act, shall be liable to a penalty not exceeding five pounds.

119. On complaint made on oath by a medical officer of health, or by an inspector of nuisances, or other officer of a local authority, any justice may grant a warrant to any such officer to enter any building or part of a building in which such officer has reason for believing that there is kept or concealed any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, or milk which is intended for sale for the food of man, and is diseased, unsound, or unwholesome, or unfit for the food of man; and to search for, seize, and carry away any such animal or other article in order to have the same dealt with by a justice under the provisions of this Act.

Search  
warrant  
may be  
granted by  
a justice.

Any person who obstructs any such officer in the performance of his duty under such warrant shall, in addition to any other punishment to which he may be subject, be liable to a penalty not exceeding twenty pounds.

## INFECTIOUS DISEASES AND HOSPITALS.

### *Provisions against Infection.*

120. Where any local authority are of opinion, on the certificate of their medical officer of health or of any other legally qualified medical practitioner, that the cleansing and disinfecting of any house or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious disease, it shall be the duty of such authority to give notice in writing to the owner or occupier of such house or part thereof, requiring him to cleanse and disinfect such house or part thereof and articles within a time specified in such notice.

Duty of  
local au-  
thority to  
cause  
premises to  
be cleansed  
and disin-  
fected.

If the person to whom notice is so given fails to comply therewith, he shall be liable to a penalty of not less than one shilling and not exceeding ten shillings for every day during which he continues to make default ; and the local authority shall cause such house or part thereof and articles to be cleansed and disinfected, and may recover the expenses incurred from the owner or occupier in default in a summary manner.

Where the owner or occupier of any such house or part thereof is from poverty or otherwise unable, in the opinion of the local authority, effectually to carry out the requirements of this section, such authority may, without enforcing such requirements on such owner or occupier, with his consent cleanse and disinfect such house or part thereof and articles, and defray the expenses thereof.

**Destruction of infected beddings, &c.**

121. Any local authority may direct the destruction of any bedding, clothing, or other articles which have been exposed to infection from any dangerous infectious disorder, and may give compensation for the same.

**Provision of means of disinfection.**

122. Any local authority may provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing, or other articles which have become infected, and may cause any articles brought for disinfection to be disinfected free of charge.

**Provision of conveyance for infected persons.**

123. Any local authority may provide and maintain a carriage or carriages suitable for the conveyance of persons suffering under any infectious disorder, and may pay the expense of conveying therein any person so suffering to a hospital or other place of destination.

**Removal of infected persons without**

124. Where any suitable hospital or place for the reception of the sick is provided within the district of a local authority, or within a convenient distance of such

district, any person who is suffering from any dangerous infectious disorder, and is without proper lodging or accommodation, or lodged in a room occupied by more than one family, or is on board any ship or vessel, may, on a certificate signed by a legally qualified medical practitioner, and with the consent of the superintending body of such hospital or place, be removed, by order of any justice, to such hospital or place at the cost of the local authority; and any person so suffering, who is lodged in any common lodging-house, may, with the like consent and on a like certificate, be so removed by order of the local authority.

proper  
lodging to  
hospital  
by order of  
justice.

An order under this section may be addressed to such constable or officer of the local authority as the justice or local authority making the same may think expedient; and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

125. Any local authority may make regulations (to be approved of by the Local Government Board) for removing to any hospital to which such authority are entitled to remove patients, and for keeping in such hospital so long as may be necessary, any persons brought within their district by any ship or boat who are infected with a dangerous infectious disorder, and such regulations may impose on offenders against the same reasonable penalties not exceeding forty shillings for each offence.

Removal  
to hospital  
of infected  
persons  
brought by  
ships.

126. Any person who—

- (1.) While suffering from any dangerous infectious disorder wilfully exposes himself without proper precautions against spreading the said disorder in any street, public place, shop, inn, or public

Penalty on  
exposure  
of infected  
persons  
and  
things.

conveyance, or enters any public conveyance without previously notifying to the owner, conductor, or driver thereof that he is so suffering ; or

- (2.) Being in charge of any person so suffering, so exposes such sufferer ; or
- (3.) Gives, lends, sells, transmits, or exposes, without previous disinfection, any bedding, clothing, rags, or other things which have been exposed to infection from any such disorder,

shall be liable to a penalty not exceeding five pounds ; and a person who, while suffering from any such disorder, enters any public conveyance without previously notifying to the owner or driver that he is so suffering, shall in addition be ordered by the court to pay such owner and driver the amount of any loss and expense they may incur in carrying into effect the provisions of this Act with respect to disinfection of the conveyance.

Provided that no proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags, or other things for the purpose of having the same disinfected.

**Penalty on failing to provide for disinfection of public conveyance.**

127. Every owner or driver of a public conveyance shall immediately provide for the disinfection of such conveyance after it has to his knowledge conveyed any person suffering from a dangerous infectious disorder ; and if he fails to do so he shall be liable to a penalty not exceeding five pounds ; but no such owner or driver shall be required to convey any person so suffering until he has been paid a sum sufficient to cover any loss or expense incurred by him in carrying into effect the provisions of this section.

128. Any person who knowingly lets for hire any house, room, or part of a house in which any person has been suffering from any dangerous infectious disorder, without having such house, room, or part of a house and all articles therein liable to retain infection, disinfected to the satisfaction of a legally qualified medical practitioner, as testified by a certificate signed by him, shall be liable to a penalty not exceeding twenty pounds.

Penalty on letting houses in which infected persons have been lodging.

For the purposes of this section, the keeper of an inn shall be deemed to let for hire part of a house to any person admitted as a guest into such inn.

129. Any person letting for hire, or showing for the purpose of letting for hire, any house or part of a house, who on being questioned by any person negotiating for the hire of such house or part of a house as to the fact of there being, or within six weeks previously having been therein, any person suffering from any dangerous infectious disorder, knowingly makes a false answer to such question, shall be liable, at the discretion of the court, to a penalty not exceeding twenty pounds, or to imprisonment, with or without hard labour, for a period not exceeding one month.

Penalty on persons letting houses making false statements as to infectious disease.

130. The Local Government Board may from time to time make, alter, and revoke such regulations as to the said Board may seem fit, with a view to the treatment of persons affected with cholera, or any other epidemic, endemic, or infectious disease, and preventing the spread of cholera, and such other diseases, as well on the seas, rivers, and waters of the United Kingdom, and on the high seas within three miles of the coasts thereof, as on land; and may declare by what authority or authorities such regulations shall be enforced and executed. Regulations so made shall be published in

Power of Local Government Board to make regulations.



the *London Gazette*, and such publication shall be for all purposes conclusive evidence of such regulations.

Any person wilfully neglecting, or refusing to obey, or carry out, or obstructing the execution of any regulation made under this section shall be liable to a penalty not exceeding fifty pounds.

### *Hospitals.*

**Power of local authority to provide hospitals.**

131. Any local authority may provide, for the use of the inhabitants of their district, hospitals or temporary places for the reception of the sick, and for that purpose may—

Themselves build such hospitals or places of reception ; or

Contract for the use of any such hospital, or part of a hospital, or place of reception ; or

Enter into any agreement with any person, having the management of any hospital, for the reception of the sick inhabitants of their district, on payment of such annual or other sum as may be agreed on.

Two or more local authorities may combine in providing a common hospital.

**Recovery of cost of maintenance of patient in hospital.**

132. Any expenses incurred by a local authority in maintaining in a hospital, or in a temporary place for the reception of the sick (whether or not belonging to such authority), a patient who is not a pauper, shall be deemed to be a debt due from such patient to the local authority, and may be recovered from him at any time within six months after his discharge from such hospital or place of reception, or from his estate in the event of his dying in such hospital or place.

133. Any local authority may, with the sanction of the Local Government Board, themselves provide or contract with any person to provide a temporary supply of medicine and medical assistance for the poorer inhabitants of their district.

Power to provide temporary supply of medicine.

#### PREVENTION OF EPIDEMIC DISEASES.

134. Whenever any part of England appears to be threatened with or is affected by any formidable epidemic, endemic, or infectious disease, the Local Government Board may make, and from time to time alter and revoke, regulations for all or any of the following purposes; (namely,)

Power of Local Government Board to make regulations for prevention of diseases.

- (1.) For the speedy interment of the dead; and
- (2.) For house to house visitation; and
- (3.) For the provision of medical aid and accommodation, for the promotion of cleansing, ventilation, and disinfection, and for guarding against the spread of disease;

and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any local authority, and to apply to any vessels, whether on inland waters or on arms, or parts of the sea within the jurisdiction of the Lord High Admiral of the United Kingdom or the Commissioners for executing the office of the Lord High Admiral for the time being, for the period in such order mentioned; and may by any subsequent order abridge or extend such period.

135. All regulations and orders so made by the Publica-

tion of regulations and orders. Local Government Board shall be published in the *London Gazette*, and such publication shall be conclusive evidence thereof for all purposes.

Local authority to see to the execution of regulations. 136. The local authority of any district within which or part of which regulations so issued by the Local Government Board are declared to be in force, shall superintend and see to the execution thereof, and shall appoint and pay such medical or other officers or persons, and do and provide all such acts, matters, and things as may be necessary for mitigating any such disease, or for superintending or aiding in the execution of such regulations, or for executing the same, as the case may require. Moreover, the local authority may from time to time direct any prosecution or legal proceedings for or in respect of the wilful violation or neglect of any such regulation.

Power of entry. 137. The local authority and their officers shall have power of entry on any premises or vessel for the purpose of executing or superintending the execution of any regulations so issued by the Local Government Board as aforesaid.

Poor law medical officer entitled to costs of attendance on board vessels. 138. Whenever, in compliance with any regulation so issued by the Local Government Board as aforesaid, any poor law medical officer performs any medical service on board any vessel he shall be entitled to charge extra for such service, at the general rate of his allowance for services for the union or place for which he is appointed; and such charges shall be payable by the captain of such vessel on behalf of the owners thereof, together with any reasonable expenses for the treatment of the sick.

Where such services are rendered by any medical practitioner who is not a poor law medical officer, he

shall be entitled to charges for any service rendered on board, with extra remuneration on account of distance, at the same rate as those which he is in the habit of receiving from private patients of the class of those attended and treated on shipboard, to be paid as aforesaid. In case of dispute in respect of such charges, such dispute may, where the charges do not exceed twenty pounds, be determined by a court of summary jurisdiction ; and such court shall determine summarily the amount which is reasonable, according to the accustomed rate of charge within the place where the dispute arises for attendance on patients of the like class as those in respect of whom the charge is made.

139. The Local Government Board may, if they think fit, by order authorize or require any two or more local authorities to act together for the purposes of the provisions of this Act, relating to prevention of epidemic diseases, and may prescribe the mode of such joint action, and of defraying the costs thereof.

140. Any person who—

- (1.) Wilfully violates any regulation so issued by the Local Government Board as aforesaid ; or,
- (2.) Wilfully obstructs any person acting under the authority or in the execution of any such regulation,

Local Gov-  
ernment  
Board may  
combine  
local au-  
thorities.

Penalty  
for violat-  
ing or ob-  
structing  
the execu-  
tion of re-  
gulations.

shall be liable to a penalty not exceeding five pounds.

#### MORTUARIES, &c.

141. Any local authority may, and if required by the Local Government Board shall, provide and fit up a proper place for the reception of dead bodies before interment (in this Act called a mortuary), and may

Power of  
local au-  
thority to  
provide  
mortu-  
aries.

make byelaws with respect to the management and charges for use of the same ; they may also provide for the decent and economical interment, at charges to be fixed by such byelaws, of any dead body which may be received into a mortuary.

**Justice may in certain cases order removal of dead body to mortuary.**

142. Where the body of one who has died of any infectious disease is retained in a room in which persons live or sleep, or any dead body which is in such a state as to endanger the health of the inmates of the same house or room is retained in such house or room, any justice may, on a certificate signed by a legally qualified medical practitioner, order the body to be removed, at the cost of the local authority, to any mortuary provided by such authority, and direct the same to be buried within a time to be limited in such order ; and unless the friends or relations of the deceased undertake to bury the body within the time so limited, and do bury the same, it shall be the duty of the relieving officer to bury such body at the expense of the poor-rate, but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expense of such burial.

Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

**Power of local authority to provide places for post-mortem examinations.**

143. Any local authority may provide and maintain a proper place (otherwise than at a workhouse or at a mortuary) for the reception of dead bodies during the time required to conduct any post-mortem examination ordered by a coroner or other constituted authority, and may make regulations with respect to the management of such place ; and where any such place has been provided, a coroner or other constituted authority may

order the removal of the body to and from such place for carrying out such post-mortem examination, such costs of removal to be paid in the same manner, and out of the same fund, as the costs and fees for post-mortem examinations when ordered by the coroner.

\* \* \* \* \*

157. Every urban authority may make byelaws with respect to the following matters ; (that is to say,)

**Power to  
make bye-  
laws re-  
specting  
new build-  
ings, &c.**

- (1.) With respect to the level, width, and construction of new streets, and the provisions for the sewerage thereof :
- (2.) With respect to the structure of walls, foundations, roofs, and chimneys of new buildings, for securing stability and the prevention of fires, and for purposes of health :
- (3.) With respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings :
- (4.) With respect to the drainage of buildings, to waterclosets, earthclosets, privies, ashpits, and cesspools in connection with buildings, and to the closing of buildings or parts of buildings unfit for human habitation, and to prohibition of their use for such habitation :

And they may further provide for the observance of such byelaws by enacting therein such provisions as they think necessary as to the giving of notices, as to the deposit of plans and sections by persons intending to lay out streets or to construct buildings, as to inspection by the urban authority, and as to the power of such authority (subject to the provisions of this Act) to

remove, alter, or pull down any work begun or done in contravention of such byelaws: Provided that no byelaw made under this section shall affect any building erected in any place (which at the time of the passing of this Act is included in an urban sanitary district) before the Local Government Acts came into force in such place, or any building erected in any place (which at the time of the passing of this Act is not included in an urban sanitary district) before such place becomes constituted or included in an urban district or by virtue of any order of the Local Government Board, subject to this enactment.

The provisions of this section . . . . . shall not apply to buildings belonging to any railway company, and used for the purposes of such railway under any Act of Parliament.

\* \* \* \* \*

**Power to  
provide  
slaughter-  
houses.**

169. Any urban authority may, if they think fit, provide slaughter-houses, and they shall make byelaws with respect to the management and charges for the use of any slaughter-houses so provided.

For the purpose of enabling any urban authority to regulate slaughter-houses within their district, the provisions of the " Towns Improvement Clauses Act, 1847," with respect to slaughter-houses, shall be incorporated with this Act.

Nothing in this section shall prejudice or affect any rights, powers, or privileges of any persons incorporated by any local Act passed before the passing of the " Public Health Act, 1848," for the purpose of making and maintaining slaughter-houses.

**Notice to  
be affixed  
on slaugh-  
ter-houses.**

170. The owner or occupier of any slaughter-house licensed or registered under this Act shall, within one

month after the licensing or registration of the premises, affix, and shall keep undefaced and legible on some conspicuous place on the premises, a notice with the words "Licensed Slaughter-house," or "Registered Slaughter-house," as the case may be.

Any person who makes default in this respect, or who neglects or refuses to affix or renew such notice, after requisition in writing from the urban authority, shall be liable to a penalty not exceeding five pounds for every such offence, and of ten shillings for every day during which such offence continues after conviction.

#### POLICE REGULATIONS.

171. The provisions of the "Towns Police Clauses Act, 1847," with respect to the following matters, (namely,) Incorporation of certain provisions of 10 & 11 Vict. c. 89

- (1.) With respect to obstructions and nuisances in the streets ; and
- (2.) With respect to fires ; and
- (3.) With respect to places of public resort ; and
- (4.) With respect to hackney carriages ; and
- (5.) With respect to public bathing ;

shall, for the purpose of regulating such matters in urban districts, be incorporated with this Act.

The expression in the provisions so incorporated "the superintendent constable," and the expression "any constable or other officer appointed by virtue of this or the special Act," shall, for the purposes of this Act, respectively include any superintendent of police, and any constable or officer of police acting for or in the district of any urban authority ; and the expression



"within the prescribed distance" shall for the purposes of this Act mean within any urban district.

Notwithstanding anything in the provisions so incorporated, a license granted to the driver of any hackney carriage in pursuance thereof shall be in force for one year only from the date of the license, or until the next general licensing meeting, where a day for such meeting is appointed.

#### BYELAWS.

**Authentica-  
tion and  
alteration  
of bye-  
laws.**

182. All byelaws made by a local authority under and for the purposes of this Act shall be under their common seal; and any such byelaw may be altered or repealed by a subsequent byelaw made pursuant to the provisions of this Act: Provided that no byelaw made under this Act by a local authority shall be of any effect if repugnant to the laws of England or to the provisions of this Act.<sup>50</sup>

**Power to  
impose  
penalties  
on breach  
of bye-  
laws.**

183. Any local authority may, by any byelaws made by them under this Act, impose on offenders against the same such reasonable penalties as they think fit, not exceeding the sum of five pounds for each offence, and in the case of a continuing offence, a further penalty not exceeding forty shillings for each day after written notice of the offence from the local authority; but all such byelaws imposing any penalty shall be so framed as to allow of the recovery of any sum less than the full amount of the penalty.

Nothing in the provisions of any Act incorporated herewith shall authorize the imposition or recovery under any byelaws made in pursuance of such provi-

<sup>50</sup> *C. R. v. Bullock*, 13 L. J., Q. B. 330.

sions of any greater penalty than the penalties in this section specified.

184. Byelaws made by a local authority under this Act shall not take effect unless and until they have been submitted to and confirmed by the Local Government Board, which board is hereby empowered to allow or disallow the same as it may think proper ; nor shall any such byelaws be confirmed—

**Confirma-  
tion of  
byelaws.**

Unless notice of intention to apply for confirmation of the same has been given in one or more of the local newspapers circulated within the district to which such byelaws relate, one month at least before the making of such application ; and

Unless for one month at least before any such application, a copy of the proposed byelaws has been kept at the office of the local authority, and has been open during office hours thereat to the inspection of the ratepayers of the district to which such byelaws relate, without fee or reward.

The clerk of the local authority shall, on the application of any such ratepayer, furnish him with a copy of such proposed byelaws or any part thereof, on payment of sixpence for every hundred words contained in such copy.

A byelaw required to be confirmed by the Local Government Board shall not require confirmation, allowance, or approval by any other authority.

185. All byelaws made by a local authority under this Act, or for purposes the same as or similar to those of this Act under any local Act, shall be printed and

**Byelaws  
to be print-  
ed, &c.**

hung up in the office of such authority; and a copy thereof shall be delivered to any ratepayer of the district to which such byelaws relate, on his application for the same; a copy of any byelaws made by a rural authority shall also be transmitted to the overseers of every parish to which such byelaws relate, to be deposited with the public documents of the parish, and to be open to the inspection of any ratepayer of the parish at all reasonable hours.

**Evidence  
of bye-  
laws.**

186. A copy of any byelaws made under this Act by a local authority (not being the council of a borough), signed and certified by the clerk of such authority to be a true copy and to have been duly confirmed, shall be evidence until the contrary is proved in all legal proceedings of the due making, confirmation, and existence of such byelaws without further or other proof.

**Byelaws  
made un-  
der s. 90  
of 5 & 6  
W. 4, c. 76,  
to be sub-  
mitted to  
Local Gov-  
ernment  
Board.**

187. Byelaws made by the council of any borough under the provisions of section ninety of the Act of the sixth year of King William the Fourth, chapter seventy-six, for the prevention and suppression of certain nuisances, shall not be required to be sent to a Secretary of State, nor shall they be subject to the disallowance in that section mentioned; but all the provisions of this Act relating to byelaws shall apply to the byelaws so made as if they were made under this Act.

**As to regu-  
lations of  
local au-  
thority.**

188. The provisions of this Act relating to byelaws shall not apply to any regulations which a local authority is by this Act authorized to make; nevertheless, any local authority may cause any regulations made by them under this Act to be published in such manner as they see fit.

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OFFICERS AND CONDUCT OF BUSINESS OF LOCAL  
AUTHORITIES.

*Officers of Local Authorities.*

189. Every urban authority shall from time to time appoint fit and proper persons to be medical officer of health, surveyor, inspector of nuisances, clerk, and treasurer: Provided that if any such authority is empowered by any other Act in force within their district to appoint any such officer, this enactment shall be deemed to be satisfied by the employment under this Act of the officer so appointed, with such additional remuneration as they think fit, and no second appointment shall be made under this Act. Every urban authority shall also appoint or employ such assistants, collectors, and other officers and servants as may be necessary and proper for the efficient execution of this Act, and may make regulations with respect to the duties and conduct of the officers and servants so appointed or employed.

Appoint-  
ment of  
officers of  
urban au-  
thority.

Subject, in the case of officers any portion of whose salary is paid out of moneys voted by Parliament, to the powers of the Local Government Board under this Act, the urban authority may pay to the officers and servants so appointed or employed such reasonable salaries, wages, or allowances as the urban authority may think proper; and, subject as aforesaid, every such officer and servant appointed under this Act shall be removable by the urban authority at their pleasure.

190. Every rural authority shall from time to time appoint fit and proper persons to be medical officer or officers of health, and inspector or inspectors of nu-

Appoint-  
ment of  
officers of  
rural au-  
thority.

sances ; they shall also appoint such assistants and other officers and servants as may be necessary and proper for the efficient execution of this Act.

There may be awarded to the clerk and treasurer of the guardians of any union, in respect of the additional duties of such officers under this Act, such remuneration as the rural authority may, with the approval of the Local Government Board, determine. If the clerk of the union is unable or unwilling to undertake such additional duties, the assistant clerk of the union shall be appointed to discharge the same, with such remuneration as aforesaid.

**As to medical officer of health, &c.**

191. A person shall not be appointed medical officer of health under this Act unless he is a legally qualified medical practitioner ; and the Local Government Board shall have the same powers as it has in the case of a district medical officer of a union with regard to the qualification, appointment, duties, salary, and tenure of office of a medical officer of health or other officer of a local authority, any portion of whose salary is paid out of moneys voted by Parliament, and may by order prescribe the qualification and duties of other medical officers of health appointed under this Act.

The same person may, with the sanction of the Local Government Board, be appointed medical officer of health or inspector of nuisances for two or more districts, by the local authorities of such districts ; and the Local Government Board shall by order prescribe the mode of such appointment, and the proportions in which the expenses of such appointment and the salary and charges of such officer shall be borne by such authorities.

Any district medical officer of a union may, with the

sanction of the Local Government Board, and subject to such conditions as the said Board may prescribe, be appointed a medical officer of health; and a medical officer of health may exercise any of the powers with which an inspector of nuisances is invested by this Act.

In case of illness or incapacity of the medical officer of health, a local authority may appoint and pay a deputy medical officer, subject to the approval of the Local Government Board.

192. The same person may be both surveyor and inspector of nuisances; but neither the person holding the office of treasurer, nor his partner, nor any person in the service or employ of them or either of them, shall be eligible to hold or shall in any manner assist or officiate in the office of clerk; and neither the person holding the office of clerk, nor his partner, nor any person in the service or employ of them or either of them, shall be eligible to hold or shall in any manner assist or officiate in the office of treasurer.

Officers ten-  
able by  
same per-  
sons.

Any person offending against this enactment shall forfeit and pay the sum of one hundred pounds, which may be recovered by any person, with full costs of suit, by action of debt.

193. Officers or servants appointed or employed under this Act by the local authority shall not in anywise be concerned or interested in any bargain or contract made with such authority for any of the purposes of this Act.

Officers not  
to contract  
with local  
authority.

If any such officer or servant is so concerned or interested, or, under colour of his office or employment, exacts or accepts any fee or reward whatsoever other than his proper salary, wages, and allowances, he shall

be incapable of afterwards holding or continuing in any office or employment under this Act, and shall forfeit and pay the sum of fifty pounds, which may be recovered by any person, with full costs of suit, by action of debt.

**Officers entrusted with money to give security.**

194. Before any officer or servant of a local authority enters on any office or employment under this Act by reason whereof he will or may be entrusted with the custody or control of money, the local authority by whom he is appointed shall take from him sufficient security for the faithful execution of such office or employment, and for duly accounting for all moneys which may be entrusted to him by reason thereof.

**Officers to account.**

195. Every officer and servant appointed or employed under this Act by a local authority shall, when and in such manner as may be required by such authority, make out and deliver to them a true and perfect account in writing of all moneys received by him for the purposes of this Act, stating how, and to whom, and for what purpose such moneys have been disposed of, and shall, together with such account, deliver the vouchers or receipts for all payments made by him, and pay over to the treasurer all moneys owing by him on the balance of accounts.

And every such officer or servant employed in the collection of any rate made under this Act shall, within seven days after he has received any moneys on account of any such rate, pay over the same to the treasurer, and shall, as and when the local authority may direct, deliver a list signed by him and containing the names of all persons who have neglected or refused to pay any such rate, and the sums respectively due from them.

196. If any officer or servant appointed or employed under this Act by a local authority—

**Summary  
proceed-  
ings  
against  
defaulting  
officers.**

Fails to render accounts, or to produce and deliver up vouchers and receipts, or to pay over any moneys, as and when required by this Act, or

Fails within five days after written notice in that behalf from the local authority to deliver up to the local authority all books, papers, writings, property and things in his possession or power, relating to the execution of this Act, or belonging to such authority,

the local authority may complain to any justice, and such justice shall thereupon summon the party charged to appear before a court of summary jurisdiction.

On the appearance of the party charged, or on proof that the summons was personally served on him, or left at his last known place of abode or business, if it appears to the court that he has failed to render any such accounts, or to pay over such moneys, or to produce and deliver up any such vouchers or receipts, books, papers, writings, property, or things as aforesaid, in accordance with the provisions of this Act, and that he still fails or refuses so to do, the court may commit the offender to gaol, there to remain without bail until he has rendered such accounts, paid over such moneys, and produced and delivered up all such vouchers, receipts, books, papers, writings, property, and things in respect of which the charge was made: Provided that a person shall not be imprisoned under this section for a period exceeding six months.

No proceeding under this section shall be construed



to relieve or discharge any surety of the offender from any liability whatever.

\* \* \* \* \*

## PART VII.

### LEGAL PROCEEDINGS.

#### *Prosecution of Offences and Recovery of Penalties, &c.*

**Summary  
proceed-  
ings for  
offences,  
penalties,  
&c.**

251. All offences under this Act, and all penalties, forfeitures, costs and expenses under this Act directed to be recovered in a summary manner, or the recovery of which is not otherwise provided for, may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts before a court of summary jurisdiction. The court of summary jurisdiction, when hearing and determining an information or complaint under this Act, shall be constituted of two or more justices of the peace in petty sessions, sitting at a place appointed for holding petty sessions, or of some magistrate or officer for the time being empowered by law to do alone any act authorized to be done by more than one justice of the peace sitting at some court or other place appointed for the administration of justice.

**General  
provisions  
as to sum-  
mary pro-  
ceedings.**

252. Any complaint or information made or laid in pursuance of this Act shall be made or laid within six months from the time when the matter of such complaint or information respectively arose.

The description of any offence under this Act in the words of this Act shall be sufficient in law.

Any exception, exemption, proviso, excuse, or qualification, whether it does or does not accompany the

description of the offence in this Act, may be proved by the defendant, but need not be specified or negated in the information ; and, if so specified or negated, no proof in relation to the matters so specified or negated shall be required on the part of the informant.

253. Proceedings for the recovery of any penalty under this Act shall not, except as in this Act is expressly provided, be had or taken by any person other than by a party aggrieved, or by the local authority of the district in which the offence is committed, without the consent in writing of the Attorney-General : Provided that such consent shall not be required to proceedings which are by the provisions of this Act relating to nuisances or offensive trades authorized to be taken by a local authority in respect of any act or default committed or taking place without their district, or in respect of any house, building, manufactory, or place situated without their district.

*Restric-  
tion on re-  
covery of  
penalties.*

254. Where the application of a penalty under this Act is not otherwise provided for, one half thereof shall go the informer, and the remainder to the local authority of the district in which the offence was committed : Provided, that if the local authority are the informer they shall be entitled to the whole of the penalty recovered ; and all penalties or sums recovered by them on account of any penalty shall be paid over to their treasurer, and shall by him be carried to the account of the fund applicable by such authority to the general purposes of this Act.

*Applica-  
tion of  
penalties.*

255. Where any nuisance under this Act appears to be wholly or partially caused by the acts or defaults of two or more persons, it shall be lawful for the local authority or other complainant to institute proceedings

*Proceed-  
ings in  
certain  
cases  
against  
nuisances.*

against any one of such persons, or to include all or any two or more of such persons in one proceeding; and any one or more of such persons may be ordered to abate such nuisance, so far as the same appears to the court having cognizance of the case to be caused by his or their acts or defaults, or may be prohibited from continuing any acts or defaults which, in the opinion of such court, contribute to such nuisance, or may be fined or otherwise punished, notwithstanding that the acts or defaults of any one of such persons would not separately have caused a nuisance; and the costs may be distributed as to such court may appear fair and reasonable.

Proceedings against several persons included in one complaint shall not abate by reason of the death of any among the persons so included, but all such proceedings may be carried on as if the deceased person had not been originally so included.

Whenever in any proceeding under the provisions of this Act relating to nuisances, whether written or otherwise, it becomes necessary to mention or refer to the owner or occupier of any premises, it shall be sufficient to designate him as the "owner" or "occupier" of such premises, without name or further description.

Nothing in this section shall prevent persons proceeded against from recovering contribution in any case in which they would now be entitled to contribution by law.

\* \* \* \* \*

### *Appeal.*

**Appeal in  
certain  
cases to  
Local Gov-  
ernment  
Board.**

268. Where any person deems himself aggrieved by the decision of the local authority in any case in which the local authority are empowered to recover in a

summary manner any expenses incurred by them, or to declare such expenses to be private improvement expenses, he may, within twenty-one days after notice of such decision, address a memorial to the Local Government Board, stating the grounds of his complaint, and shall deliver a copy thereof to the local authority; the Local Government Board may make such order in the matter as to the said Board may seem equitable, and the order so made shall be binding and conclusive on all parties.

Any proceedings that may have been commenced for the recovery of such expenses by the local authority shall, on the delivery to them of such copy as aforesaid, be stayed; and the Local Government Board may, if it thinks fit, by its order, direct the local authority to pay to the person so proceeded against such sum as the said Board may consider to be a just compensation for the loss, damage, or grievance thereby sustained by him.

269. Where any person deems himself aggrieved by any rate made under the provisions of this Act, or by any order, conviction, judgment, or determination of or by any matter or thing done by any court of summary jurisdiction, such person may appeal therefrom, subject to the conditions and regulations following:

**Appeal to  
quarter  
sessions.**

- (1.) The appeal shall be made to the next court of quarter sessions for the county, division, or place in which the cause of appeal has arisen, holden not less than twenty-one days after the demand of the rate or the decision of the court, from which the appeal is made:

- (2.) The appellant shall, within fourteen days after

the cause of appeal has arisen, give notice to the other party and to the authority or court of summary jurisdiction by whose act he deems himself aggrieved, of his intention to appeal and of the ground thereof:

- (3.) The appellant shall, immediately after such notice, enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to 'pay such costs as may be awarded by the court, or give such other security by deposit of money or otherwise as the justice may allow :
- (4.) Where the appellant is in custody the justice may, on the appellant entering into such recognizance, or giving such other security as aforesaid, release him from custody :
- (5.) On appeals under this Act against any rate the court of appeal shall have the same power to amend or quash any rate or assessment, and to award costs between the parties to the appeal, as is or may by law be vested in any court or quarter sessions with respect to amending or quashing any rate or assessment, or awarding costs, on appeals with respect to rates for the relief of the poor ; and the costs awarded by the said court under this Act may be recovered in the same manner in all respects as costs awarded on the last-mentioned appeals: Provided that, notwithstanding the quashing of any rate appealed against, all moneys charged by such rate shall, if the

court of appeal think fit so to order, be levied as if no appeal had been made, and such moneys, when paid, shall be taken as payment on account of the next effective rate for the purposes in respect of which the quashed rate was made :

- (6.) In the case of other appeals the court of appeal may, if it thinks fit, adjourn the appeal, and on the hearing thereof may confirm, reverse, or modify the decision of the court of summary jurisdiction, or remit the matter to the court of summary jurisdiction with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just. The court of appeal may also make such order as to costs to be paid by either party as the court thinks just :
- (7.) The decision of the court of appeal shall be binding on all parties: Provided that the court of appeal may, if such court thinks fit, state the facts specially for the determination of a superior court.

\* \* \* \* \*

## PART VIII.

### PORT SANITARY AUTHORITY.

287. The Local Government Board may, by provisional order, permanently constitute any local authority whose district or part of whose district forms part of or abuts on any part of a port in England, or the waters of such port, or any conservators, commissioners, or other

Constitution of port sanitary authority.

persons having authority in or over such port or any part thereof (which local authority, conservators, commissioners, or other persons are in this Act referred to as a "riparian authority"), the sanitary authority of the whole of such port or of any part thereof (in this Act referred to as the "port sanitary authority").

The Local Government Board may also by provisional order permanently constitute a port sanitary authority for the whole or any part of a port, by combining any two or more riparian authorities having jurisdiction within such port, or any part thereof, and may prescribe the mode of their joint action; or by forming a joint board consisting of representative members of any two or more riparian authorities, in the same manner as is by this Act provided with respect to the formation of a united district. Moreover, the Local Government Board may by provisional order permanently constitute a port sanitary authority for any two or more ports, by forming a joint board consisting of representative members of all or any of the riparian authorities having jurisdiction within such ports, or any part thereof.

In any case in which the Local Government Board are by this section authorized permanently to constitute by provisional order a port sanitary authority, the said Board may, if it thinks fit, until such order has been made and confirmed by Parliament, temporarily constitute by order any such authority, and may from time to time renew any such last-mentioned order, and may by any order so made or renewed, make any such provisions as it is by this section empowered to make by provisional order.

Any order constituting a port sanitary authority may assign to such authority any powers, rights, duties,

capacities, liabilities and obligations under this Act, and direct the mode in which the expenses of such authority are to be paid ; and where such order constitutes a joint board the port sanitary authority, it may contain regulations with respect to any matters for which regulations may be made by a provisional order forming a united district under this Act.

A port shall mean a port as established for the purposes of the laws relating to the customs of the United Kingdom.

288. The order of the Local Government Board constituting a port sanitary authority shall be deemed to give such authority jurisdiction over all waters within the limits of such port, and also over the whole or such portions of the district within the jurisdiction of any riparian authority as may be specified in the order. **Jurisdiction of port sanitary authority.**

289. A port sanitary authority may, with the sanction of the Local Government Board, delegate to any riparian authority within or bordering on their district the exercise of any powers conferred on such port sanitary authority by the order of the Local Government Board, but, except in so far as such delegation may extend, no other authority shall exercise any powers conferred on a port sanitary authority by the order of the Local Government Board within the district of such port sanitary authority. **Delegation of powers by port sanitary authority.**

290. Any expenses incurred by a port sanitary authority constituted temporarily in carrying into effect any purposes of this Act shall be defrayed out of a common fund to be contributed by the riparian authorities, in such proportions as the Local Government Board thinks just. **Expenses of port sanitary authority.**

Such port sanitary authority, if itself a local authority



under this Act independently of its character of a port sanitary authority, shall raise the proportion of expenses due in respect of its own district, in the same manner as if such expenses had been incurred by it in the ordinary manner for the purposes of this Act.

For the purpose of obtaining payment from the contributory riparian authorities of the sums to be contributed by them, such port sanitary authority shall issue their precept to each such authority, requiring such authority, within a time limited by the precept, to pay the amount therein mentioned to such port sanitary authority, or to such person as such port sanitary authority may direct.

Any contribution payable by a riparian authority to such port sanitary authority shall be a debt due from them, and may be recovered accordingly, such contribution in the case of a rural authority being deemed general expenses of that authority. If any riparian authority makes default in complying with the precept addressed to it by such port sanitary authority, such port sanitary authority may, instead of instituting proceedings for the recovery of the debt, or in addition to such proceedings, as to any part of the debt which may for the time being be unpaid, proceed in the summary manner in this Act mentioned to raise within the district of the defaulting authority such sum as may be sufficient to pay the debt due.

Where several riparian authorities are combined in the district of one port sanitary authority, the Local Government Board may by order declare that some one or more of such authorities shall be exempt from contributing to the expenses incurred by such authorities.

291. The mayor, aldermen, and commons of the City of London shall be the port sanitary authority of the port of London, and shall pay out of their corporate funds all their expenses as such port sanitary authority. Provision as to port of London.

## PART X.

### MISCELLANEOUS AND TEMPORARY PROVISIONS.

306. Any person who wilfully obstructs any member of the local authority, or any person duly employed in the execution of this Act, or who destroys, pulls down, injures, or defaces any board on which any byelaw, notice, or other matter is inscribed, shall, if the same was put up by authority of the Local Government Board or of the local authority, be liable for every such offence to a penalty not exceeding five pounds. Penalty on obstructing execution of Act.

Where the occupier of any premises prevents the owner thereof from obeying or carrying into effect any provisions of this Act, any justice to whom application is made in this behalf shall, by order in writing, require such occupier to permit the execution of any works required to be executed, provided that the same appear to such justice to be necessary for the purpose of obeying or carrying into effect the provisions of this Act; and if within twenty-four hours after the making of the order such occupier fails to comply therewith, he shall be liable to a penalty not exceeding five pounds for every day during the continuance of such non-compliance.

If the occupier of any premises, when requested by or on behalf of the local authority to state the name of the

owner of the premises occupied by him, refuses or wilfully omits to disclose or wilfully misstates the same, he shall (unless he shows cause to the satisfaction of the court for his refusal) be liable to a penalty not exceeding five pounds.

**Penalty on  
damaging  
works, &c.  
of local  
authority.**

307. Any person who wilfully damages any works or property belonging to any local authority shall, in cases where no other penalty is provided by this Act, be liable to a penalty not exceeding five pounds.

**Compensa-  
tion in  
case of  
damage by  
local au-  
thority.**

308. Where any person sustains any damage by reason of the exercise of any of the powers of this Act, in relation to any matter as to which he is not himself in default, full compensation shall be made to such person by the local authority exercising such powers; and any dispute as to the fact of damage or amount of compensation shall be settled by arbitration in manner provided by this Act, or, if the compensation claimed does not exceed the sum of twenty pounds, the same may at the option of either party be ascertained by and recovered before a court of summary jurisdiction.

**Bye-laws  
as to hop-  
pickers.**

314. Any local authority may, if they think fit, make byelaws for securing the decent lodging and accommodation of persons engaged in hop-picking within the district of such authority.

**As to bye-  
laws in-  
consistent  
with this  
Act.**

315. Any byelaw made by any sanitary authority under the Sanitary Acts, which is inconsistent with any of the provisions of this Act shall so far as it is inconsistent therewith be deemed to be repealed.

**As to con-  
struction  
of incor-  
porated  
Acts.**

316. In the construction of the provisions of any Act incorporated with this Act the term "the special Act" includes this Act, and, in the case of the "Lands Clauses Consolidation Acts," 1845, 1860, and 1869, any order confirmed by Parliament and authorizing the purchase of

lands otherwise than by agreement under this Act ; the term " the limits of the special Act " means the limits of the district ; and the urban or rural authority shall be deemed to be " the promoters of the undertaking," " the commissioners," or " the undertakers," as the case may be.

All penalties incurred under the provisions of any Act incorporated with this Act, shall be recovered and applied in the same way as penalties incurred under this Act.

317. The schedules to this Act shall be read and have effect as part of this Act. Construction of schedules.

The forms contained in Schedule IV. to this Act, or forms to the like effect, varied as circumstances may require, may be used, and shall be sufficient for all purposes.

## PART XI.

### SAVING CLAUSES AND REPEAL OF ACTS.

327. Nothing in this Act shall be construed to authorize any local authority— Saving for works and property of certain authorities, and for navigation and water rights, &c.

- (1.) To use, injure, or interfere with any sluices, flood-gates, sewers, groynes, or sea defences, or other works, already or hereafter made under the authority of any commissioners of sewers appointed by the Crown, or any sewers or any works already or hereafter made and used by any body of persons or person for the purpose of draining, preserving, or improving land, under any local or private Act of Parlia-

ment, or for the purpose of irrigating land ;  
or,

- (2.) To disturb or interfere with any lands or other property vested in the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of the Lord High Admiral for the time being, or in Her Majesty's Principal Secretary of State for the War Department for the time being ; or,
- (3.) To interfere with any river, canal, dock, harbour, lock, reservoir, or basin, so as to injuriously affect the navigation thereon, or the use thereof, or to interfere with any towing-path so as to interrupt the traffic thereof, in cases where any body of persons or person are or is by virtue of any act of Parliament entitled to navigate on or use such river, canal, dock, harbour, lock, reservoir, or basin, or to receive any tolls or dues in respect of the navigation thereon or use thereof ; or,
- (4.) To interfere with any watercourse in such manner as to injuriously affect the supply of water to any river, canal, dock, harbour, reservoir, or basin, in cases where any such body of persons or person as last aforesaid would, if this Act had not passed, have been entitled by law to prevent or be relieved against such interference ; or,
- (5.) To interfere with any bridges crossing any river, canal, dock, harbour, or basin, in cases where any body of persons or person are or is authorized by virtue of any act of Parliament to navigate or use such river, canal, dock,

harbour, or basin, or to demand any tolls or dues in respect of the navigation thereon or use thereof; or

- (6.) To execute any works in, through, or under, any wharves, quays, docks, harbours or basins, to the exclusive use of which any body of persons or person are or is entitled by virtue of any act of Parliament, or for the use of which any body of persons or person are or is entitled by virtue of any act of Parliament to demand any tolls or dues,—

Without the consent in every case of such Lord High Admiral or Commissioners for executing the office of Lord High Admiral, Secretary of State, commissioners, body of persons or person as are hereinbefore in that behalf respectively mentioned, such consent to be expressed in writing in the case of a corporation under their common seal, and in the case of any body of persons not being a corporation under the hand of their clerk or other duly authorized officer or agent. And nothing in this Act shall prejudice or affect the rights, privileges, powers, or authorities, given or reserved to any person under such local or private Acts for draining, preserving, or improving land, as are in this section mentioned.

334. Nothing in this Act shall be construed to extend <sup>Saving for</sup> to mines of different descriptions so as to interfere with <sup>mines, &c.</sup> or to obstruct the efficient working of the same; nor to the smelting of ores and minerals, nor to the calcining, puddling, and rolling, of iron and other metals, nor to the conversion of pig iron into wrought iron, so as to obstruct or interfere with any of such processes respectively.

**Saving for  
collegiate  
bodies and  
Govern-  
ment de-  
partments.**

335. Any collegiate or other corporate body required, or authorized by, or in pursuance of, any Act of Parliament to divert its sewers or drains from any river, or to construct new sewers, and any public department of the Government, shall have the like powers, and be subject to the like obligations, under this Act as they had or were subject to under the "Sewage Utilization Act, 1867;" and for that purpose the provisions of this Act applicable to purposes the same as or similar to those of the "Sewage Utilization Act, 1865," and the "Sewage Utilization Act, 1867," shall apply in substitution for the last-mentioned provisions.

**Saving for  
Metropoli-  
tan Board  
of Works.**

336. Nothing in or done under this Act shall affect any outfall or other works of the Metropolitan Board of Works (although beyond the metropolis) executed under the "Metropolis Management Act, 1855," and the Acts amending the same, or take away, abridge, or prejudicially affect, any right, power, authority, jurisdiction, or privilege, of the Metropolitan Board of Works.

**Powers of  
Act to be  
cumula-  
tive.**

341. All powers given by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not passed; and nothing in this Act shall exempt any person from any penalty to which he would have been subject if this Act had not passed.

Provided that no person who has been adjudged to pay any penalty in pursuance of this Act shall for the same offence be liable to a penalty under any other Act.

*Oxford.*

342. The local government district of Oxford shall be subject to the jurisdiction of a local board consisting of the vice-chancellor of the university of Oxford, and the mayor of Oxford for the time being, of forty-five other members, fifteen to be elected by the university of Oxford, sixteen by the town council of Oxford, and fourteen by the ratepayers of the parishes situated within the area formerly within the jurisdiction of the commissioners, for amending certain mileways leading to Oxford, and making improvements in the university and city of Oxford, the suburbs thereof, and the adjoining parish of Saint Clement, and of the members for any parishes, or parts of parishes, which may have been or may hereafter be added to the Oxford district. \* \* \*

*Constitution of local board of the Oxford district.*

*Repeal of Acts.*

343. The Acts specified in the first and second parts of Schedule V. to this Act are hereby repealed to the extent in the third column in the said parts of that schedule mentioned, with the following qualification; (that is to say),

*Repeal of Acts in Schedule V.*

That so much of the said Acts as is set forth in the third part of that schedule shall be re-enacted in manner therein appearing, and shall be in force as if enacted in the body of this Act.

Provided also, that this repeal shall not affect—

(a.) Anything duly done or suffered under any enactment hereby repealed; or,



- (b.) Any right or liability acquired, accrued, or incurred, under any enactment hereby repealed ; or,
- (c.) Any security given under any enactment hereby repealed ; or,
- (d.) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed ; or,
- (e.) Any investigation, legal proceeding, or remedy in respect of any such right, liability, security, penalty, forfeiture, or punishment, as aforesaid ; and any such investigation, legal proceeding, and remedy, may be carried on as if this Act had not been passed.

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## SCHEDULE V.

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### PART I.

Enactments, which have been already repealed, are in a few instances included in this repeal, in order to avoid the necessity of reference to previous statutes.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
11 & 12 Vict. c. 63.	The Public Health Act, 1848.	The whole Act.
14 & 15 Vict. c. 28.	The Common Lodging Houses Act, 1851.	The whole Act, except so far as relates to the Metropolitan Police District.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
16 & 17 Vict. c. 41.	The Common Lodging Houses Act, 1853.	The whole Act, except so far as relates to the Metropolitan Police District.
18 & 19 Vict. c. 116.	The Diseases Prevention Act, 1855.	The whole Act, except so far as relates to the Metropolis.
18 & 19 Vict. c. 121.	The Nuisances Removal Act for England, 1855.	The whole Act, except so far as relates to the Metropolis.
21 & 22 Vict. c. 98.	The Local Government Act, 1858.	The whole Act.
23 & 24 Vict. c. 77.	An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases.	The whole Act, except so far as relates to the Metropolis.
24 & 25 Vict. c. 61.	The Local Government Act (1858) Amendment Act, 1861.	The whole Act.
26 & 27 Vict. c. 17.	The Local Government Act Amendment Act, 1863.	The whole Act.
26 & 27 Vict. c. 117.	The Nuisances Removal Act for England (Amendment) Act, 1863.	The whole Act, except so far as relates to the Metropolis.
28 & 29 Vict. c. 75.	The Sewage Utilization Act, 1865.	The whole Act, except so far as relates to Scotland and Ireland.
29 & 30 Vict. c. 41.	The Nuisances Removal (No. 1) Act, 1866.	The whole Act, except so far as relates to the Metropolis.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
29 & 30 Vict. c. 90.	The Sanitary Act, 1866.	Parts I., II., and III., except so far as relates to the Metropolis, or to Scotland or Ireland.
30 & 31 Vict. c. 113.	The Sewage Utilization Act, 1867.	The whole Act, except so far as relates to Scotland or Ireland.
31 & 32 Vict. c. 115.	The Sanitary Act, 1868.	The whole Act, except so far as relates to the Metropolis.
32 & 33 Vict. c. 100.	The Sanitary Loans Act, 1869.	The whole Act, except so far as relates to the Metropolis.
33 & 34 Vict. c. 53.	The Sanitary Act, 1870.	The whole Act, except so far as relates to the Metropolis.
35 & 36 Vict. c. 79.	The Public Health Act, 1872.	The whole Act, except so far as relates to the Metropolis.
37 & 38 Vict. c. 89.	The Sanitary Law Amendment Act, 1874.	The whole Act, except so far as relates to the Metropolis or the Metropolitan Police District.

Of the above Acts, the following, namely, "The Public Health Act, 1848," and "The Local Government Act, 1858," and "The Local Government Act (1858) Amendment Act, 1861," and "The Local Government Act Amendment Act, 1863," are in this Act referred to as "The Local Government Acts."

## PART II.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
12 & 13 Vict. c. 94.	The Public Health Supplemental Act, 1849.	The whole Act, except section 1 (confirmation of certain provisional orders of the General Board of Health), and section 12 (short title of Act), and the schedule.
13 & 14 Vict. c. 90.	The Public Health Supplemental Act, 1850 (No. 2).	The whole Act, except section 1 (certain provisional orders of General Board of Health confirmed), and section 7 (short title of Act), and the schedule.
15 & 16 Vict. c. 42.	The First Public Health Supplemental Act, 1852.	Sections 6 to 12, both inclusive (first election or first selection and election of certain local boards), and section 13 (11 & 12 Vict. c. 63, ss. 68, 69, as to repair of highways), and section 14 (interpretation of year), and section 15 (Act incorporated with Public Health Act).

## PART III.

11 &amp; 12 Vict. c. 63, s. 83.

**As to inter-  
ments  
within  
churches.**

No vault or grave shall be constructed or made within the walls of or underneath any church or other place of public worship, built in any urban district, after the thirty-first day of August, one thousand eight hundred and forty-eight; and whosoever shall bury, or cause, permit, or suffer to be buried, any corpse or coffin in any vault or grave constructed or made contrary to this enactment, shall, for every such offence, be liable to a penalty not exceeding fifty pounds, which may be recovered by any person, with full costs of suit, in an action of debt.

21 &amp; 22 Vict. c. 98, s. 49.

**Local board  
to be burial  
board in  
certain  
cases.**

When a vestry of any parish comprised in local government district resolves to appoint a burial board, the local board may at the option of the vestry be the burial board for such parish, and all expenses incurred by such burial board shall be defrayed out of a rate to be levied in such parish in the same manner as a general district rate.

Provided, that if such parish has been declared a ward for the election of members of the local board, such members shall form the burial board for the parish, and shall be deemed to be a burial board elected under the Burial Acts for the time being in force.

24 & 25 Vict., c. 61 s. 21.

Any urban authority constituted a burial board may from time to time repair and uphold the fences surrounding any burial ground which has been discontinued as such within their jurisdiction, or take down such fences and substitute others in lieu thereof, and shall from time to time take the necessary steps for preventing the desecration of such burial ground and placing it in a proper sanitary condition ; and they may from time to time pass byelaws (subject to the provisions of this Act) for the preservation and regulation of all burial grounds within their jurisdiction ; and the expense of carrying this section into execution may be defrayed out of any rates authorized to be levied by any urban authority constituted a burial board.

Urban authorities may repair fences surrounding burial grounds.

26 & 27 Vict. c. 17, s. 6.

Where any local government district or any other place is surrounded by or adjoins a highway district constituted under the Highway Acts, such first-mentioned district or other place shall, for the purpose of any meeting of the highway board, be deemed to be within such highway district.

Local government districts to be within highway districts for purpose of highway meetings.

29 & 30 Vict. c. 90, s. 44.

When the district of a burial board is included in or conterminous with the district of an urban authority, the burial board may, by resolution of the vestry, and by agreement of the burial board and urban authority, transfer to the urban authority all their estate, property, rights,

Power to burial boards in certain cases to transfer their

**powers to urban authority.**

powers, duties, and liabilities, and from and after such transfer, the urban authority shall have all such estate, property, rights, powers, duties, and liabilities, as if they had been duly appointed a burial board under the Burial Acts for the time being in force.

29 & 30 Vict. c. 90, s. 51.

**Power to reduce penalties imposed by 6 G. 4, c. 78.**

All penalties imposed by the act of the sixth year of King George the Fourth, chapter seventy-eight, intituled "An act to repeal the several laws relating to quarantine, and to make other provisions in lieu thereof," may be reduced by the justices or court having jurisdiction in respect of such penalties to such sum as the justices or court think just.

29 & 30 Vict. c. 90, s. 52.

**Description of vessels with-in provision of 6 G. 4, c. 78.**

Every vessel, having on board any person affected with a dangerous or infectious disorder, shall be deemed to be within the provisions of the act of the sixth year of King George the Fourth, chapter seventy-eight, although such vessel has not commenced her voyage, or has come from or is bound for some place in the United Kingdom.

35 & 36 Vict. c. 76, s. 34.

**As to consent of Local Government Board required in certain cases.**

Where in any local acts the consent, sanction, or confirmation, of one of Her Majesty's Principal Secretaries of State is required with respect to the borrowing of any money, to the giving effect to any byelaws, or to the appointment of any officer for sanitary purposes, the consent,

sanction, or confirmation of the Local Government Board shall be required instead of that of the Secretary of State.

The consent of the Local Government Board, and not that of the Treasury, shall be required to the borrowing of money for the purposes of the Baths and Wash-houses Acts.

If any question arises as to what are sanitary purposes within the meaning of this section, the determination of the Local Government Board on such question shall be conclusive.

### 35 & 36 Vict. c. 79, s. 35.

The powers and duties of the Board of Trade under the Alkali Act, 1863, and any act amending the same, and under the Metropolis Water Acts, 1852 and 1871, shall be exercisable and performed by the Local Government Board, and "the Local Government Board" shall be deemed to be substituted for "the Board of Trade" wherever the latter expression occurs in the said acts.

**Transfer of powers and duties of Board of Trade under Alkali Act, 1863, and Metropolis Water Acts, 1852 and 1871, to Local Government Board.**

### 35 & 36 Vict. c. 79, s. 36.

All powers, duties, and acts vested in, imposed on, or required to be done, by or to one of Her Majesty's Principal Secretaries of State by the several acts of Parliament relating to highways in England and Wales, and to turnpike roads, and trusts and bridges, in England and Wales, shall be imposed on and be done by or to the Local Government Board, subject to the conditions, liabilities, and incidents to which such powers, duties, and acts, were respectively subject immediately

**Transfer of powers and duties of Secretary of State under Highway and Turnpike Acts to Local Government Board.**



before the passing of the Public Health Act, 1872, or as near thereto as circumstances admit.

35 & 36 Vict. c. 79, s. 37.

**Transfer of  
officers to  
Local Gov-  
ernment  
Board.**

All inspectors, clerks, and other officers, who are, by virtue of section thirty-seven of the Public Health Act, 1872, attached to and under the control of the Local Government Board, shall hold their offices and places upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties, as if this act had not passed.

The Local Government Board may by order distribute the business to be performed under the Local Government Board amongst such officers and persons in such manner as the Local Government Board may think expedient.

35 & 36 Vict. c. 79, s. 38.

**Salary of  
medical  
officer.**

Notwithstanding anything contained in any Act of Parliament now in force, there shall be paid out of moneys to be provided by Parliament to the medical officer of the Local Government Board such salary as the Treasury may from time to time determine.

35 & 36 Vict. c. 79, s. 48.

**Orders of  
the Local  
Govern-  
ment  
Board how  
to be pub-  
lished.**

Every general order of the Local Government Board, made in pursuance of the "Poor Law Amendment Acts, 1834," and the several acts amending the same, shall be published in the *London Gazette*, and when so published

shall take effect in like manner, and shall be of as much force and validity as any general order of the Poor Law Board made and sent in the manner prescribed by the last-mentioned acts, and no further proceeding shall be necessary in such behalf: and as regards any single order of the said Board, made in pursuance of the said last-mentioned acts, it shall not be necessary henceforth to send a copy thereof to the clerk to the justices of the petty sessions.

## ORDER OF THE LOCAL GOVERNMENT BOARD.

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To all Urban, Rural, and Port Sanitary Authorities ; to all Officers of Customs ; to all Masters of Ships ; and to all Others whom it may concern.

**Order for the prevention of the introduction of Cholera.**

WHEREAS the Lords of Her Majesty's Most Honourable Privy Council, by an Order bearing date the 29th day of July, 1871, after reciting certain provisions of an act passed in the sixth year of the reign of His Majesty King George the Fourth, chapter seventy-eight, and of the Sanitary Act, 1866, and further that cholera was then prevailing in certain parts of Continental Europe with which this country had communication, and that it was requisite to take precaution, as far as practicable, against the introduction of that disease into this country, did make certain rules, orders, and regulations in respect thereof, and by certain other Orders bearing date respectively the 3rd and 5th days of August, 1871, did make further regulations ;

And whereas under and by virtue of "The Local Government Board Act, 1871," all powers and duties vested in and imposed on Her Majesty's Most Honourable Privy Council by (among others) the said Sanitary Act, 1866, were, as regards England and Wales, transferred to and imposed on the Local Government Board ;

And whereas cholera is now prevalent in certain parts

of Continental Europe with which this country has communication, and it is expedient that the said rules, orders, and regulations should be rescinded,<sup>51</sup> and other rules, orders, and regulations substituted in their place :

Now therefore, we, the Local Government Board, do hereby rescind all such rules, orders, and regulations in the above-recited Orders contained, except in so far as they apply to Scotland, or may apply to any proceedings now pending, and we do hereby order as follows :—

*Definitions.*

Art. 1. In this Order :—

The term “Ship” includes vessel or boat.

The term “Officer of Customs” includes any person having authority from the Commissioners of Customs ;

The term “Master” includes the officer or person for the time being in charge or command of a ship ;

The term “Cholera” includes choleraic diarrhoea ;

The term “Sanitary Authority” has the same meaning as in “The Public Health Act, 1872” ;

The term “Clothing and Bedding” includes all clothing and bedding in actual use and worn or used by the person attacked at the time of or during the attack of cholera.

For the purposes of this Order every ship shall be deemed infected with cholera in which there is or has been during the voyage or during the stay of such ship in a foreign port in the course of such voyage any case of cholera.

<sup>51</sup> See s. 130 of 38 & 39 Vict. c. 55, *ante* p. 215.

*I. Regulations as to Customs Inspection.*

Art. 2. If any officer of customs on the arrival within the limits of any port in England of any ship ascertains from the master of such ship or otherwise, or has reason to suspect that the ship is infected with cholera he may detain such ship, and order the master forthwith to moor or anchor the same; and thereupon the master shall forthwith moor or anchor the ship in such position as such officer of customs shall direct.

Art. 3. Whilst such ship shall be so detained, no person shall leave the same.

Art. 4. The officer of customs detaining any ship as aforesaid shall forthwith give notice thereof and of the cause of such detention to the port sanitary authority if there be one, or otherwise, to the sanitary authority of the district within which the ship shall be detained.

Art. 5. Such detention by the officer of customs shall cease as soon as the said ship shall have been duly visited and examined by the proper officer of the sanitary authority; or if the ship shall upon such examination be found to be infected with cholera, as soon as the same shall be anchored or moored in pursuance of Art. 9 of this Order.

Provided, that if the examination be not commenced within twelve hours after notice given as aforesaid, the ship shall, on the expiration of the said twelve hours, be released from detention.

*II. Regulations as to Sanitary Authority.*

Art. 6. The port or other sanitary authority at every port shall, as speedily as practicable, with the approval

of the chief officer of customs of such port, fix some place or places within the said port where any ship may be detained, moored, or anchored for the purpose of these regulations.

Art. 7. Any officer appointed by such sanitary authority to see to the carrying out of this Order, if he have reason to believe that any ship arriving within the district of such authority, whether examined by the officer of customs or not, is infected with cholera, or shall have come from a place infected with cholera, may visit and examine such ship, for the purpose of ascertaining whether it is so infected; and the master of such ship shall suffer the same to be so visited and examined.

Art. 8. The sanitary authority, on notice being given to them by an officer of customs, under this order, shall forthwith cause the ship in regard to which such notice shall have been given to be visited and examined by their medical officer of health, or some other legally qualified medical practitioner, for the purpose of ascertaining whether it is infected with cholera.

Art. 9. The master of every ship which is infected with cholera shall, after any such examination as aforesaid, as long as the ship is within the district of a sanitary authority, moor or anchor her in such position as from time to time the said authority shall direct.

Art. 10. No person shall leave any such ship until the examination hereinafter mentioned shall have been made.

Art. 11. The sanitary authority shall, as soon as possible after the arrival of any such ship, cause all persons on board of the same to be examined by their medical officer of health, or some other legally qualified

medical practitioner, and shall permit all persons who shall not be certified by him, as hereafter mentioned, to land immediately.

Art. 12. Every person certified by the medical officer of health or medical practitioner making such examination, to be suffering from cholera, shall be dealt with under any rules that may have been made by the sanitary authority under the 29th section of the Sanitary Act, 1866, or, where no such rules shall have been made, shall be removed, if the condition of the patient admit of it, to some hospital or place previously appointed for such purpose by the said authority; and no person so removed shall leave such hospital or place until the medical officer of health of the authority, or some other legally qualified medical practitioner appointed by them, shall have certified that such person is free from the said disease.

If any person suffering from cholera cannot be removed, the ship shall remain subject, for the purposes of this order, to the control of the medical officer of health, or some other legally qualified medical practitioner appointed by the said authority; and the infected person shall not be removed from or leave the ship, except with the consent in writing of the medical officer of health or other medical practitioner.

Art. 13. Such medical officer of health or medical practitioner shall give directions, and take such steps as may appear to him to be necessary, for preventing the spread of the infection, and the master of the said ship shall forthwith carry into execution such directions as shall be given to him by such officer or practitioner.

Art. 14. Any person certified by such medical officer of health or medical practitioner as aforesaid to be suffer-



ing from any diarrhoeal or other illness which he may suspect to be cholera, may either be detained on board the ship or taken to some hospital or other previously appointed place, and detained there, for any period not exceeding two days, until it be ascertained whether the illness is or is not cholera.

Any such person who, while so detained, shall be certified by the medical officer of health or medical practitioner to be suffering from cholera, shall be dealt with as in the above article relating to patients suffering from that disease.

Art. 15. In the event of any death from cholera taking place on board of such vessel while so detained, the master shall cause the dead body to be taken out to sea, and committed to the deep, properly loaded to prevent its rising.

Art. 16. The master shall cause the clothing and bedding of every person who may have suffered from cholera on board such vessel, or who, having at any time been on board such vessel, shall have suffered from cholera during the stay of such vessel in a foreign port, to be disinfected or (if necessary) destroyed; and if the master shall have neglected to do so before the ship arrives in port, he shall forthwith, or upon the direction of the said authority, cause the same to be disinfected or destroyed, as the case may require; and if the said master neglect to comply with such direction within a reasonable time, the authority shall cause the same to be carried into execution.

Art. 17. The master shall cause every part of the ship, and every article therein, other than those last described, which may probably be infected with cholera, to be disinfected or destroyed, when required to do so



by the said authority, or by their medical officer of health.

Given under our seal of office, this seventeenth day of July, in the year One thousand eight hundred and seventy-three.

JAMES STANSFELD, (L.S.)  
*President.*

JOHN LAMBERT,  
*Secretary.*

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FORM OF NOTICE TO SANITARY AUTHORITY ISSUED IN PURSUANCE OF ART. IV. OF THE ABOVE ORDER, TO BE GIVEN BY THE OFFICERS OF THE COMMISSIONERS OF CUSTOMS TO THE PORT SANITARY AUTHORITY OR TO THE SANITARY AUTHORITY OF THE DISTRICT IN CASES WHERE VESSELS MAY BE DETAINED.

**Form of  
notice to  
Sanitary  
Authority.**

To the Sanitary Authority of the Parish of \_\_\_\_\_,  
Port of \_\_\_\_\_.  
Sir,

I hereby apprise you that I have detained, under the provisions contained in the above Order, the vessel \_\_\_\_\_, master, from \_\_\_\_\_, as I find from inquiry that\*

The vessel is detained at \_\_\_\_\_, under the provisions of the above Order, awaiting your inspection.

\* Here state whether any person suffering from infectious disease is on board, or that any one on board has so suffered during the voyage or at a foreign port.

tion. The vessel will be released by me at the expiration of twelve hours from this time, should you fail to make the inspection required by the said Order.

(Signed)

*Examining Officer H.M. Customs.*

Port of

Date

and hour.

QUESTIONS TO BE PUT TO MASTERS OF VESSELS  
ARRIVING FROM PORTS INFECTED WITH CHOLERA.

1. What is the name of the vessel, and of the master?
2. From what port have you come?
3. Was there any sickness at the port while you were lying there, or at the time you left it?
4. Have you any bill of health? if so, produce it.
5. What number of officers, crew, and passengers have you on board?
6. Have any of them suffered from any kind of illness during the voyage? If so, state it, however trifling it may have been.
7. Is every person on board in good health at this moment?

Questions  
to masters  
of vessels  
from ports  
infected  
with  
cholera.

*Directions for the boarding officer. If all the answers are satisfactory, the following notice is to be read to the master, who is to sign his name to the answers he has given.*

“It is my duty to caution you that if any of the statements you have made are incorrect, you will be liable to penalties, and I am directed to request you to sign your name to the answers you have given.”

## CHAPTER VII.

The Laws, Ordinances, and Regulations relating to Quarantine in the British Colonies and Possessions.

BAHAMAS.	MALTA.
BERMUDAS.	MAURITIUS.
CANADA (DOMINION OF).	NATAL.
CAPE OF GOOD HOPE.	NEWFOUNDLAND.
CEYLON.	NEW SOUTH WALES.
FALKLAND ISLANDS.	NEW ZEALAND.
FIGI.	QUEENSLAND.
GIBRALTAR.	ST. HELENA.
GOLD COAST COLONY.	SOUTH AUSTRALIA.
GUIANA (BRITISH).	STRAITS SETTLEMENTS.
HELIGOLAND.	TASMANIA.
HONDURAS (BRITISH).	TRINIDAD.
HONG-KONG.	VICTORIA.
INDIA.	WESTERN AUSTRALIA.
JAMAICA.	WEST AFRICA SETTLEMENTS.
LABUAN.	WINDWARD ISLANDS.
LEEWARD ISLANDS.	

## BAHAMAS.

The quarantine regulations at the port of Nassau are under the Colonial Act, 34 Vict. c. 6 (1871) amended by the 40 Vict. c. 6 (1877).

Quarantines, when imposed, are based for the most

part on the actual condition of the ships on arrival, **Bahamas.** their crews and passengers, and not so much in reference to the existence of particular diseases at the port of departure; but the Governor in Council may declare any ports to be "infected" and ships arriving from them must perform quarantine.

The principal diseases whose existence on board renders vessels liable to quarantine are small-pox, yellow fever, and scarlet fever. The existence of any other cause which, in the opinion of the health officer, may render the immediate admission of a vessel dangerous to the health of the inhabitants, would also justify its imposal.

The duration of the quarantine is regulated from time to time by the Governor in Council, as he may in each case think fit and necessary, and subject thereto, the period is fourteen days.

The only vessels exempt from the operation of the quarantine law are those carrying mails. They are subject to special regulations of the Governor.

The Governor in Council may permit the landing of passengers and crews under such restrictions as he may deem necessary, and best calculated to guard against the introduction of disease.

There is a lazaret at Athol Island, about three miles and a half distant from the port of Nassau. There is a resident quarantine officer; there is a tariff of charges.

Cargoes are not landed at the lazaret, unless found to be in a putrescent state.

Medical assistance is provided from the shore to sick persons on board, but not at the public expense, except in the case of poor seamen.

When a vessel is in a foul and sickly state on arrival,

**Bahamas.** the precautionary measures to be adopted are left to the discretion of the health officer, who reports to the Governor. British ships of war having a medical officer on board are exempt from reporting the sick on board to the health officer, but the sick must not be landed without his permission.

Bills of health are granted, when requested, to vessels leaving the port of Nassau by the health officer, and have reference only to the health of the town and port. No previous inspection of the vessel is made.

Foreign consuls are in the habit of granting bills of health to their own vessels, and the health officer is only applied to in the case of British vessels.

In case of a formidable epidemic visiting the Colony, the Governor in Council may issue orders proclaiming interinsular quarantine, and the Board of Health has power to frame rules to meet emergencies.

#### BERMUDA.

The Quarantine Act in force is No. 18 of 1863, but this has been in part amended by subsequent Acts.

Vessels arriving from all countries, declared by the Governor in Council to be "infected places," or having had sickness on board, are subject to quarantine, whether their bill of health be clean or foul; this, however, is subject to the regulations of the Governor in Council.

If the sickness be yellow fever, cholera, or any other infectious or dangerous disease, the vessel may be detained in the ports of Bermuda for eight days; this period may be prolonged if deemed necessary, but there is no specified period for quarantine.

No difference is made in favour of vessels having a **Bermuda**. medical officer on board, or between yachts and merchant vessels, or in favour of any person who may happen to be on board.

By Act No. 2, of 1874, any vessel arriving in July, August, September, or October, on a voyage direct or indirect from any place south of 35° North Latitude is brought to either off Castle Island, or in Five Fathom Hole, Murray's anchorage, or Granaway's Deep, at the option of the master of the vessel, until visited by the health officer, who determines whether she is to proceed to quarantine or not. British ships of war, troopships or storeships may be brought to either, in Five Fathom Hole, Murray's anchorage, or Grassy Bay.

But in case of necessity, a British ship of war may communicate by boat, with the naval officer of the Islands, before the visit of the health officer, if there be no infectious disease on board; this is the only exception in favour of British ships of war.

Pratique is granted, at the discretion of the health officer, when all apprehension of danger has ceased, without the lapse of any fixed period; also to all arrivals from infected or suspected places, at his discretion.

There is a lazaret near the port of Hamilton, on an island (Durrell's), about one mile from the nearest dwelling. There is also a small island near to Ports, and situated in the Great Sound, with stone buildings erected thereon for the reception of persons when their vessels are performing quarantine.

There is another lazaret belonging to the navy, also situated on an island, and in every respect well adapted for the purpose.

**Bermuda.** Cargoes are sent to the lazaret, in cases of necessity, the sanction of the owner being previously obtained.

Vessels performing quarantine are thoroughly cleansed, purified, and whitewashed in such a manner as may be ordered by the health officer.

When sickness is on board a vessel in quarantine, the health officer attends.

Clean bills of health are granted by the health officer to vessels leaving Bermuda certifying that no epidemic is prevailing in the Colony. The fee is eight shillings.

## CANADA (DOMINION OF).

### QUEBEC.

No quarantine is imposed upon vessels arriving at the harbour of Quebec from whatever parts of the world they may have sailed, whether bringing a clean or foul bill of health, unless certain diseases should exist or have existed during the voyage.

There is an establishment, first formed in 1832, and called the quarantine station, situated on Grosse Isle, an island in the centre of the St. Lawrence, and distant about thirty miles to the east of Quebec. When first established, it was intended to prevent the introduction of Asiatic cholera, and vessels without distinction were obliged to bring up and submit to an inspection, the rules and regulations being framed upon the strict quarantine laws of the Mediterranean. But here, and everywhere else, the attempt to protect the country from cholera by means of quarantine restrictions proved a complete failure.

The utility of the establishment as a place where the



sick from the many thousands who yearly arrived in the **Canada.** country could be treated in hospitals, and where the healthy could refit and wash their clothes after their long voyage, before proceeding to their destination in the interior, was found so great, that it has been continued to this day.

All vessels (except the Canadian mail steamers) which arrive during the eight months following the 1st of April in every year, in the port of Quebec, and which may have had any infectious disease on board, or which come from an infected port, or which have on board thirteen steerage passengers and upwards, if under 700 tons register, and fifty steerage passengers and upwards if over 700 tons, must perform quarantine until discharged therefrom. Should any sick be found on board, they are forthwith landed and placed in hospitals at the eastern extremity of Grosse Isle. Should the disease be small-pox, fever, measles, scarlatina, or Asiatic cholera, all the passengers in the vessel are landed at the western extremity of the island, with their foul clothes, beds, bedding, &c., and placed in large airy buildings, near which are extensive washhouses, kitchens, &c., for their use.

The healthy are detained here for a period varying from twenty-four hours to six days, during which time they are made to wash and air their clothes, &c.; the feather beds and wool mattresses are subjected to dry heat in a hot-air chamber in a large oven constructed for the purpose. After this cleansing, they are forwarded to Quebec. It has been found by the superintendent, who has been many years in charge, that a detention prolonged beyond a certain time causes a deterioration of the health of the emigrants, and that their speedy



**Canada.** dispersion has always appeared to be the best means to prevent this.

Men of war and vessels having Queen's troops on board, accompanied by a medical officer, and steamers in which no sickness or death have occurred, are exempt from the regulations unless the diseases already named shall have prevailed on board, and then they would be subject to the same regulations.

All persons in quarantine are supplied with lodging, fuel, the use of the washhouses, &c., free of all cost, and no charge of any kind is imposed upon vessels. Medical assistance and medicines are also provided at the cost of the province to all who require them.

No cargoes are ever sent to the lazaret at the quarantine station. Emigrant vessels are generally in ballast, any part of which if soiled is thrown overboard.

When a vessel arrives in a sickly state, a careful inspection is made into the cause, and when neglect of cleanliness, or imperfect ventilation is ascertained to exist, a report is made to the chief emigration agent, who takes proceedings against the master or owners of the vessel. On the arrival of a vessel in a filthy state, the passengers and their baggage being landed, the between decks are thoroughly cleansed with soap and water if painted, or whitewashed with quick lime if not painted, the bow and stern ports are knocked out and a current of air is passed through the vessel. These means, with fumigation, suffice to thoroughly cleanse the foulest ship.

No clean bills of health are ever given to vessels leaving Quebec ; nor is it the duty of the port physician to make any inspection to ascertain the sanitary condition of the crew and passengers.

No sanitary cordons by land have ever been attempted *Canada*. to be established in *Canada*.

The Act relating to quarantine is 35 Vict. c. 27 (1872), and the existing regulations thereupon are dated Ottawa, the 23rd May, 1868, and 21st January, 1873, respectively.

#### HALIFAX (NOVA SCOTIA).

Similar regulations exist at Halifax, and vessels under the same conditions as the above, must perform quarantine at the southern end of St. George's Island.

#### ST. JOHN (NEW BRUNSWICK).

The regulations are the same. The quarantine station is the southern end of Partridge Island.

#### CAPE OF GOOD HOPE.

The existing Act and Regulations relating to quarantine are No. 16, 1857.

The diseases for which arrivals are put in quarantine are small-pox and measles, provided disease exists, or has recently existed, on board. The quarantine varies according to the circumstances of each case.

There is no proper lazaret at or near Cape Town. Two batteries, close to the beach, have been occasionally used for the purpose.

On two occasions cargoes have been sent to the lazaret. No distinction was made between susceptible and unsusceptible articles. The means used for purifications were fumigations with chlorine.

**The Cape.**

On two different occasions within the last fifty years, sickness has occurred in vessels under quarantine, without a medical officer on board. Medical assistance was provided at the public cost.

No record has been kept of vessels put in quarantine.

The imposal of quarantine is discretionary with the health officer or person acting as his substitute, who, by clause 10 of the Act of 1857, shall "make every necessary inquiry into the state of health of the officers, passengers, crew, troops, and convicts; and, if there should be any sick persons on board, into the nature and character of their complaints; and shall, after such inquiry, either detain the vessel in quarantine, or give her pratique, as to him may appear fitting. Provided that when there may be any reasonable cause of doubt or suspicion, he shall not grant pratique, but shall place the vessel in quarantine, and report thereon if the vessel is in Table Bay, to the colonial secretary; or, if any of the out-ports of this colony, to the resident magistrate thereat, or other local authority nearest thereto, in order that further medical advice may be obtained."

**CEYLON.**

By the Ordinance No. 10, 1852, all existing laws and regulations relating to quarantine, both maritime and inland, were abolished, and by Ordinance No. 8, of 1866, a comprehensive clause gives the Governor, with the advice of the Executive Council, the power of making orders or regulations for the purpose of instituting quarantine in cases of necessity, both upon vessels arriving in the island, and upon any inland town or

district. These orders must be published in the local *Ceylon*. "Gazette," and any offence against them may be visited with a fine of £50.

The diseases for which quarantine used especially to be enforced, and would be again enforced if necessary, are small-pox and cholera. The plague is named in the old regulations, but it is doubtful of its ever having visited the island.

The reasons for the abolition of local quarantine were the difficulties experienced in enforcing it, and its consequent frequent invasions, the hardships it imposed on the public, especially the poorer classes, and the fact which continued experience brought to light that in crowded towns where it was most required, it altogether failed in preventing the spread of a contagious disease like the small-pox. There are health officers at all the ports of the island, whose duty it is to inspect the crew and passengers of all vessels arriving, and weekly reports of these inspections are sent to the principal medical officer at Colombo. By regulations of April 6th, 1868, quarantine may be imposed in the following instances, viz :—

1. On vessels from a known infected port.
2. On vessels on board of which cholera has appeared during the voyage.
3. On vessels with cholera on board.

The quarantine in such cases, not to extend beyond eight days, the period counting from the date on which the vessel left the infected port; or in the case of disease appearing on board during the voyage, or arriving with disease on board, from the date of the recovery or death of the last case.

All the large towns of Ceylon possess isolated hospitals

**Falkland  
Islands.**

for the reception of cases of small-pox. Experience has also shown the necessity of having separate hospitals for cholera cases.

With the exception of the port of Salavatorre, the site of the pearl fishery, while the pearl fishery is in progress, it does not appear that quarantine has for many years, been imposed on vessels arriving in any of the ports of the island. The quarantine is short, and regulated by the circumstances of each case, when small-pox or cholera is on board, under the authority of the Ordinance above cited.

**FALKLAND ISLANDS.**

By Ordinance No. 2, 1875, the Governor in Council may declare any place to be an "infected place," and all vessels, persons and goods arriving from such place, and having on board any person suffering from infectious disease, or on board of which any person may have died from any such disease, are liable to quarantine.

The health officer boards every vessel, and determines from the answers to the questions put by him, and from other circumstances, whether the vessel shall perform quarantine or not. Subject to any special rules made by the Governor in Council, the following regulations are observed :—

1. Every vessel, on board of which any person shall be sick or been sick of any infectious disease within fourteen days before arrival, shall remain in quarantine for fourteen days from the date when the sickness ceases, or has ceased.

2. Every vessel, that has sailed from or touched at an infected place, shall remain in quarantine for not less

than two days or more than fourteen, as shall be directed **Falkland Islands.** by the Board.

3. If, during the continuance of a vessel in quarantine, any person on board fall sick of an infectious disease, such vessel shall be liable to a further period of fourteen days' quarantine from the day when the sickness ceases.

No exceptions are made for any vessels, except for mail steamers. The Governor may provide lazarets, and may frame rules for them.

Although there is frequent communication with Rio Janeiro and Monte Video, the epidemic diseases which very frequently visit those cities are not known to have been imported into the Colony.

Until 1871 there was no legislation on the subject, and the only reference to it is the following provisional regulation embodied in the Pilot and Harbour Regulations issued by Governor Moore in 1857. "Every pilot going on board any vessel will inquire if there be infectious or contagious disease on board, and the master of any vessel must answer such inquiry ; and if there be such disease the pilot shall anchor in Fort William, and signalize, and shall not leave the ship, nor permit any boats to communicate with her without permission." This regulation does not appear to have been acted upon.

#### FIGI.

The enactments in force in this colony are contained in Ordinance No. 12, 1877.

The permanent quarantine stations are Cagalai, for the port of Levuka, [Ovalau,] Quarantine Island for the port of Galoa, [Kadavu,] Mamuka and Nukulan for the port of Suva, [Viti Levu.]

**Figi.** Yanuyan, for the port of Loma-Loma, [Vanna Balavu.]

No vessel coming to the Colony may communicate with any island or place in the Colony until she has received pratique from the health officer at a port of entry. Should the answers given to the health officer cause him to believe that there is danger to the public health to be apprehended from the vessel, he may cause her to perform quarantine; and the persons on board may be landed and detained at the quarantine station.

The duration of quarantine is not determined by the Ordinance.

#### GIBRALTAR.

The quarantine regulations in force at Gibraltar were instituted under the Order in Council of July 13, 1830. They are dated June 22, 1836, April 23, 1849, May 11, 1849, July 13, 1859, and July 19, 1859.

The Local Board of Health is empowered to enact any sanitary precautions which are from time to time deemed necessary. Except in regard to the plague, no very regular system of quarantine seems to have been acted upon at Gibraltar, until after the visitation of yellow fever in 1828; the Board of Health for the purpose was constituted by the above Order in Council.

The quarantines in this port are necessarily regulated by those in Spain, for if Great Britain did not impose nearly similar restrictions, the former would close the communication with us, as happened in 1853. But were Spain to modify her sanitary restrictions, it would confer great benefit on Gibraltar.

The interruption in 1853 was on account of the



quarantine imposed at Gibraltar on arrivals from Gibraltar. England, then partially infected with cholera, not being deemed by the Spanish authorities sufficiently stringent. At first it was for three days only on all arrivals from British ports, whether with clean bills or not ; subsequently, the period of detention was extended to eight days, in conformity with the Spanish regulations at Algesiras. On the Gibraltar Board of Health attempting to relax this practice in favour of vessels with clean bills, the Governor of Algesiras established, on the 2nd of November, 1853, a cordon across the neutral ground, by which all intercourse by land between the rock and Spain was completely interrupted. This state of things continued to the serious detriment and distress of the inhabitants of both places for more than three months. Not even provisions were allowed to pass the Spanish lines, so rigorous was the embargo on the inter-communication.

With respect to the quarantine regulations at present in force, vessels from the west coast of Africa, between latitude thirty degrees north and latitude twenty degrees south, and from the adjacent islands (the Canary and Cape Verde Islands excepted), are not allowed to enter the port between the 1st of July and 15th of November. They are admitted to free pratique throughout the remainder of the year, on performing fourteen days' quarantine. Also vessels from the West Indies, the Brazils, or continent of America, between the equator and latitude thirty-four degrees north, and arriving between the 1st of July and 15th of November, shall be ordered to quit the harbour and roadstead, whether their bills be foul or clean, so that the communication between Gibraltar and these countries is cut off during the sum-



**Gibraltar.** mer months. Vessels arriving from the same places between the 15th and 30th of November perform quarantine till the 1st of December.

A very stringent and protracted quarantine is imposed upon arrivals from countries infected with, or suspected of, the plague, as was the case in 1858-9 upon arrivals from the coast of Barbary, Syria, &c.

Besides the cholera, yellow fever, and the plague, the existence of any infectious or contagious disease on board subjects the vessel to quarantine, the duration of which is determined by the Board of Health according to the circumstances of each case. The introduction of small-pox and typhus is especially guarded against.

It was announced early in the present year (1879) that the acting Governor of Gibraltar intended to adopt the quarantine regulations in force at Malta.

A medical certificate generally facilitates pratique; but no exception is made in favour of men-of-war, yachts, or of any personages. In the case of ships of war, however, the voyage from the date of leaving the last port is generally reckoned as part of the quarantine.

When the cessation of a disease in an infected or suspected place is notified by the British Consul, or on receipt of clean bills of health therefrom immediate pratique is given.

There is no lazaret or quarantine establishment on shore; only one or more hulks used as dépôts for coals for the steamers, where passengers can perform their quarantine.

When there is sickness on board a vessel performing quarantine, the inspector of health visits the vessel, and a civilian medical officer repairs alongside and renders the required assistance, but not at the public expense.

When vessels arrive in a foul and sickly condition, no **Gold Coast.** inspection is made, as, arriving under those circumstances, they are ordered to quit the port. No record is kept of such vessels.

Before a clean bill of health is granted to a vessel, no medical inspection of her state is made, and no certificate is given to the captain, the bill of health being only applicable to the state of health of the fortress.

In the case of a pestilential disease appearing in the neighbourhood of this fortress, a sanitary cordon has been placed across the neutral ground.

## GOLD COAST COLONY.

### CAPE COAST CASTLE—LAGOS.

There do not appear to be any quarantine regulations in force in these settlements. The diseases which would subject arrivals to quarantine are cholera, yellow fever, and small-pox.

There is no lazaret at any port.

By s. 60 of Ordinance No. 10 (1878), the Governor in Council may make regulations for preventing the spread of epidemic or infectious diseases in the Colony; s. 45 of Ordinance No. 3 (1878), of Lagos contains some provisions of a similar character, but they relate to seamen only.

## GUIANA.

The diseases for which quarantine is imposed are small-pox and cholera.

When the disease has been officially certified to have

**Guiana.**

ceased in an infected part, pratique is immediately granted to arrivals therefrom, after careful inspection of the vessels. The Governor in Council may declare any place to be "infected," and any vessel from an infected place may be ordered to perform quarantine.

There is no permanent lazaret, but a temporary lazaret has been occasionally established. The Governor has power to frame rules for the same.

In the event of sickness on board a vessel in quarantine, the health officer would attend, at the cost of the vessel, at a fixed fee.

If a vessel arrives from an infected port, the health officer visits ; but if a vessel arrives from a clean port with her crew in a sickly condition, the health officer seldom hears of it. No record of the sanitary state of vessels in quarantine is kept, further than the health officer's report to the Governor.

In 1852, at the suggestion of Dr. Gavin, the health officer was ordered by the Central Board to visit and inspect at frequent intervals every vessel in the harbour. The sanitary measures thereby carried out resulted in a very marked reduction of admissions into the Seaman's Hospital, and diminished mortality among those admitted. The Colonial Surgeon-general thought so highly of this measure, that in 1856, when yellow fever again broke out, he recommended it to be revived ; but it was not adopted ; solely, it is believed, on the score of expense.

No inspection of the vessel itself is made prior to granting bills of health. Foreign consuls compel their vessels to take bills of health from them, prior to signing their clearances.

The existing Quarantine Ordinance in British Guiana

is of the date of 1st June, 1870, and is supplemented *Guiana*. by the Ordinance of 1872 (No. 2).

Governor Wodehouse, in his despatch to Secretary Sir E. B. Lytton, of 9th July, 1859, says :—"The Article 15 of the Ordinance of August 1831 gives the Governor of the Colony the power of suspending the whole or any part of its provisions ; and this power has been practically exercised by perpetual suspension, with the exception of a few short periods during which the Governor for the time being has thought it his duty to enforce quarantine.

"The power given to the Governor of suspending 'any part' of the regulations has also virtually enabled him to make any changes which in his judgment might appear expedient.

"In 1854, when cholera was in Barbadoes, at the urgent request of the principal inhabitants of this town, a quarantine of forty days on arrivals from that island was established ; but practically it could not be strictly enforced, from the fact that persons leaving Barbadoes for St. Thomas, and coming from that island to George Town, were admitted here on arrival after a voyage of about ten days."

In 1851, a like quarantine of forty days was imposed on arrivals from Jamaica during the prevalence of cholera there ; but it was known at the time to be evaded notwithstanding every precaution.

The following are the rules in force at present :—

1. All vessels on board of which any person shall be sick, or shall have been sick, of any contagious or infectious disease, in respect of which quarantine may be enforced under "The Quarantine Ordinance, 1870," or shall have died of such diseases within fourteen days before the arrival of any such vessel at this colony, shall

**Guiana.** remain in quarantine for a period not exceeding fourteen days from the day when such sickness shall cease, or shall have ceased, or from the day when such death shall have occurred, as may be directed by the quarantine Board.

2. All vessels that shall have sailed from, or touched at any infected place, or shall have any person on board who shall have come from any such place, shall remain in quarantine for such period not exceeding fourteen days, as shall be directed by the quarantine Board.

3. If, during the continuance of a vessel in quarantine, any person on board such vessel falls sick of any contagious or infectious disease as aforesaid, such vessel shall be liable to remain in quarantine for a further period not exceeding fourteen days from the day when such sickness shall cease, as shall be directed by the quarantine Board.

Exceptions to these rules are made in favour of the officers in charge of the mails.

### HELIGOLAND.

The quarantine laws, which were binding in 1864 were those published by the Danish Government on March 15, 1805, for the Duchies of Schleswig and Holstein, although the island had been in the possession of Great Britain since September, 1807. In 1864 a new constitution was established, which in its turn was considerably varied by a British Order in Council, 1868, vesting the whole legislative and executive power in the Governor. It is therefore difficult to define how much of the ancient regulations relative to quarantine are in force. The following was the practice until 1864, and with small modifications may doubtless be considered in force. No new regulations have been published.

An extract from the old laws of 1805 is read once a year from the pulpit by the officiating minister; the patents of the pilots contain a short notice, reminding them to respect these laws. They relate almost exclusively to the risk of the plague and plague-like diseases. Pilots are not to touch things of metal or paper from an infected vessel, without the former having been first washed in salt water, and the latter moistened with vinegar, and then pierced and fumigated. Letters are directed to be delivered in a tin case tied with a cord, which cord is to be washed with salt water before the pilot touches it.

Heligo-  
land.

Help and assistance must be rendered to all people in distress from shipwreck; but after they have been saved, they must strip off their clothes and wash their bodies all over with salt water.

When a suspicious vessel has been wrecked, no part of the cargo or goods floating about is to be saved, before the authorities have given permission to that effect.

Anything plague-infected floated on shore is to be burned without being touched by the hand.

All persons, who assist at the burial of any one who has died of plague-like diseases, are to be put in quarantine of from four to fourteen days; but their clothes need not be burned.

In 1831, when the cholera was considered absolutely contagious, Heligolander as well as foreign vessels coming from an infected port were placed under a quarantine of from four to eight days. And, if any person was to sicken of the small-pox, his house would be strictly watched by the police to prevent communication.



**HONDURAS (BRITISH).**

**Honduras.** The "Quarantine Act" of the Local Legislature is No. 7, 1873. The Lieutenant-Governor in Council may make rules for carrying out its provisions.

When cholera or small-pox is known to prevail in any of the neighbouring ports of Central America, vessels arriving therefrom are subjected to inspection, and, if necessary, to quarantine, the method and duration of which are determined by the above rules. The same precautions have been from time to time, taken on the arrival of vessels from Jamaica or other of the West India Islands, when the above diseases were ascertained to be present. The Lieutenant-Governor in Council may declare any place to be "infected."

The following applies to all vessels subject to quarantine:—

1. Every vessel on board of which any person shall be sick or been sick of any infectious disease within fourteen days before arrival, shall remain in quarantine for fourteen days, from the date when the sickness ceases or has ceased.

2. Every vessel that has sailed from or touched at an infected place shall remain in quarantine for not less than two days, or more than fourteen, as shall be directed by the Board.

3. If during the continuance of a vessel in quarantine any person on board fall sick of an infectious disease, such vessel shall be liable to a further period of fourteen days' quarantine from the day when the sickness ceases.

No difference is made between men-of-war and merchant vessels.

Formerly, in particular instances, the sick have been removed from the vessel and placed on one of the adjacent quays. But now the Lieutenant-Governor has power to provide lazarets and to make rules for the same. Honduras.

The public medical officer attends to the sick while in quarantine.

On granting clean bills of health, no inspection is previously made.

The Governor of Belize reported, in 1859, that he found it impracticable to enforce any adequate quarantine regulations in the Bay Islands in consequence of the absence of medical assistance to enable him to decide upon the nature of any diseases, whether infectious or not, which might have occurred during the voyage or may actually exist on arrival.

Persons sick with yellow fever were landed from vessels from Havanna, and some have died on shore, after having been carefully tended and nursed; but no evil results followed.

The Act 21 Vict. c. 2, to vest proper authority in the Board of Health of the Colony of Bay Islands, empowered the Board "when they shall be of opinion, and certify in writing, that any house, building, yard or premises within their jurisdiction is in such condition that the health of the occupiers thereof, or of the public in general, is thereby prejudiced and endangered, to cause a notice to be affixed to the door of such building, &c., requiring the occupiers thereof to cause the same to be thoroughly cleansed within a specified number of hours from the time such notices be so published; and if such order be neglected or disobeyed, then the Board may cause such premises, yard, &c., to be purified, ven-



**Hong  
Kong.**

tilated, and thoroughly cleansed at the expense of the party in occupation of the same."

The Board was also empowered to appoint health officers, whose duty it was to board every vessel arriving from any port where an infectious disease was known to prevail, and to make all such other examinations as they might deem expedient, &c.

This appears to have been the only legislation for the protection of health in force in the Bay Islands. By treaty of November 28, 1859, between Great Britain and the Republic of Honduras, these islands were recognized by Great Britain as part of that Republic, and they so continue.

### HONG KONG.

No quarantine was ever imposed in Hong Kong from the earliest settlement of the Colony until 1860; nor did any quarantine regulations exist.

By Ordinance No. 1 (1862), every commanding officer of any ship-of-war, or master of a merchant ship, or vessel of whatsoever nation, who may arrive in the harbour of Victoria, having small-pox, or any other disease of a contagious or infectious nature on board is to hoist the proper quarantine flag, and no communication is to be held with any other vessel or boat, or with the shore, until permission has been given by the Harbour Master. The boarding officer on nearing a ship is to be informed of the nature of the disease, that proper precautions may be taken, and assistance rendered, under a penalty not exceeding two hundred dollars for every offence.

The mercantile shipping in harbour is attended by

private practitioners, and there is a seaman's hospital on India shore.

A bill of health is seldom required. When one is given, it refers to the condition of the Colony, and not to that of the ship or her crew.

### INDIA.

It is enacted by the Indian Penal Code (Act No. 45 of 1860) as follows :—

269. Whoever unlawfully or negligently does any act which is, and which he knows, or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description of a term which may extend to six months, or with fine, or with both.

270. Whoever malignantly does any act which is, and which he knows, or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to two years, or with a fine, or with both.

271. Whoever knowingly disobeys any rule made and promulgated by the *Government of India*, or by any *Government*, for putting any vessel into a state of quarantine, or for regulating the intercourse of vessels in a state of quarantine with the shore, or with other vessels, or for regulating the intercourse between places where an infectious disease prevails and other places, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

By s. 16 of the same code, the words "Government of

**India.**

India," denote the Governor-General of India in Council or during the absence of the Governor-General of India, from his Council, the President in Council, or the Governor-General of India alone, as regards the powers which may be lawfully exercised by them or him respectively.

And by s. 17 of the same code, the word "Government," denotes the person or persons authorized by law to administer executive government in any part of British India.

By Act No. 1 of 1870, it is enacted that—

1. It shall be lawful for the Governor-General of India, in Council, and (with the previous sanction of the said Governor-General in Council) for the Local Governments respectively from time to time, to make rules for putting any vessel into a state of quarantine, for regulating the intercourse of vessels in a state of quarantine, with the shore or with other vessels, and for regulating the intercourse between ports where an infectious disease prevails, and other ports.

2. All such rules shall be published in the *Gazette of India*, and also in the local Gazette, and shall thereupon be deemed to be rules made and promulgated under Section 271 of the Penal Code.

### JAMAICA.

The practice of quarantine in this island has been considerably modified since the official investigation into its working in 1851. The Act now in force is No. 37 of 1869, modified by No. 32 of 1872.

The Governor is authorized to declare vessels coming from places affected with any infectious disease liable to

quarantine, the duration, &c., of which depends upon *Jamaica*, the circumstances of each case, and is left very much to the advice and opinion of the health officer, who reports each case to the Governor.

Whenever a vessel arrives at any port in this island, not coming from any place declared by the Governor in Council to be "infected," and not having at the time of arrival any infectious disease on board, or not having had any death from either of such disease during the voyage, the health officer is authorized to admit her to pratique. Moreover, exceptions are always made in favour of the mail service.

If a vessel on arrival is not provided with a bill of health from the last port touched at, the surgeon on board, or the captain, is required to certify in writing that such port was, at the time of the ship's departure therefrom, free, to the best of his knowledge, from any infectious disorder.

There is power to the Governor to appoint lazarets, and to frame rules for the same.

Medical assistance is procurable for the sick on board, but not at the public expense.

No investigation of the filthy condition of a vessel can be ascertained, unless the health officer enters the ship and examines her; and such a condition can scarcely be surmised, unless the crew are first ascertained to be unhealthy. Effectual ventilation and purification of a vessel, would not be possible in loaded vessels, unless some means were available to discharge at least a portion of the cargo, and deposit it for a time in some convenient and airy locality.

No inspection of a vessel is made before granting a bill of health on leaving the port.

**Jamaica.**

The following rules were made in 1874 for carrying out the Quarantine Act :—

1. Ships placed in quarantine, by the health officer, are to hoist the yellow flag at the fore-top-gallant mast-head, and are to take up an anchorage without delay in the quarantine ground, where they are to remain until released by order of the Quarantine Board.

2. The quarantine ground shall be pointed out by the visiting officer.

3. A constable is to be placed on board each ship in quarantine, and is to see that all rules and regulations in respect of quarantine are strictly carried out.

4. No personal communication is to take place between vessels in quarantine and the shore. No boats from the shore or from other boats or vessels, whether in quarantine or not, shall be allowed to have personal communication with a ship in quarantine.

5. No ship shall be allowed to anchor within a hundred yards of the quarantine buoy placed in the centre of the quarantine ground.

6. Lighters or boats conveying cargo, or coals, or other supplies to ships in quarantine may be towed to the quarantine buoy, and, to prevent personal communication with the ships in quarantine, all persons on board such boats or lighters must then quit them, and return outside the limits of the quarantine ground.

7. The boats or lighters so left may then be towed alongside the ship in quarantine by her crew and unloaded, but no packages are to be returned to the boats or lighters from the ship. When the boats or lighters are empty, they are to be towed back by the crew of the ship to the quarantine buoy, and, after the men so employed have left them, the persons who may

be in charge of such boats or lighters, may proceed to **Jamaica**, the quarantine buoy to fetch them away.

8. All boats belonging to ships in quarantine are to hoist a yellow flag in the bow when absent from their ships.

9. Passengers in ships that are placed in quarantine may, with the sanction of the visiting officer, be landed in the ships' boats at such lazaretto or place as may be pointed out by the visiting officer, and subject to his instructions and supervision.

10. Cases of sickness among the crew or passengers of ships in quarantine may, with the sanction of the visiting officer, and under his instruction and supervision, be landed in the ships' boats at the lazaretto.

11. No articles of clothing or bedding that have been used in cases of disease, shall be permitted to be landed.

12. The mail bags from a ship in quarantine shall, before being landed, undergo such process of fumigation as the visiting officer may consider necessary.

13. Any person who may have died on board a ship in quarantine, shall be buried in such place as shall be pointed out by the visiting officer.

14. In case of a ship in quarantine proceeding to sea, the constable shall be previously landed at the lazaretto. The pilot, who accompanies the ship to sea, shall proceed on his return to the lazaretto, and both constable and pilot shall remain there in quarantine for the same period as the ship would have been kept if she had remained at anchor.

15. In the cases where the Quarantine Board may think that the nature of the contagious or infectious disease is such as to render it unnecessary to keep the ship



**Labuan.** in which any case of such disease shall have occurred in quarantine for so long a period as fourteen days, or if there be other circumstances to justify any shortening of the period of fourteen days of quarantine, the Quarantine Board may, if they shall think fit, admit a vessel to pratique at an earlier period than the period of fourteen days provided in section 15 of Law 37 of 1869.

16. Any person who may be found guilty of any infringement of any of these rules and regulations shall be subject to a penalty not exceeding ten pounds.

#### LABUAN.

By Ordinance No. 5 of 1872, proper places may be set apart for receiving persons suffering from infectious diseases. Whosoever wilfully introduces into the island, without the permission of the authorities, any person suffering from any infectious disease, or any articles likely to communicate the same, is liable to a fine of 250 dollars and to six months' imprisonment.

The Governor in Council may issue rules for the enforcement of Quarantine.

#### THE LEEWARD ISLANDS.

In 1871, by virtue of the Imperial Act (34 and 35 Vict. c. 107), the Leeward Islands, consisting of the several islands of Antigua, Montserrat, St. Christopher Nevis, and Dominica, with their respective dependencies, and the Virgin Islands, became one colony. The Governor, with the consent of the General Legislative Council, may make laws for the whole colony.

By the Act No. 26, 1876, the Governor is authorized

to appoint, in each Presidency, not less than three persons to be a Board, to be called "The Quarantine Board," and from time to time to fill up the vacancies in such Board; and such Board, of whom three form a quorum, have full power and authority to superintend and enforce the carrying out of the laws, rules, and regulations for the time being in force relating to quarantine.

Leeward  
Islands.

The Governor in Council may, from time to time, make such rules and regulations, to be enforced by such fines and penalties, as to him seem fit, for the more effectual carrying out the provisions of the law, and to secure the due performance of quarantine, and for the government of all vessels or persons coming from any infected place. Such regulations are published in the usual manner and form, and after publication have full force and effect. All vessels arriving at any Presidency, together with all persons, goods, and merchandise whatsoever thereon, coming from any infected place, or having on board any person who has come from such infected place, or who is ill of any contagious or infectious disease, or on board of which vessel any person has died from any such disease during the passage to such Presidency, is liable to perform quarantine in such place, for such time, and in such manner as follows, subject to any special rules and regulations of the Governor in Council:—

1. All vessels on board of which any person is sick, or has been sick of any contagious or infectious disease, or has died of such disease within fourteen days before her arrival at the island, must remain in quarantine until the expiration of fourteen days from the day when such sickness ceases or has ceased, or from the day when such death occurred.



**Leeward  
Islands.**

2. All vessels that have sailed from or touched at any infected place, or have any person on board who has come from any such place, must remain in quarantine for such time, being not less than two days, nor exceeding twenty-one, as may be directed by the Quarantine Board on a due investigation of all the circumstances of the case.

3. If, during the continuance of a vessel in quarantine, any person on board such vessel falls sick of any contagious or infectious disease, such vessel is liable to remain in quarantine for a further period of fourteen days from the day when such sickness ceases.

Until any such vessel has performed and been duly discharged from quarantine, no person on board of or belonging to her, nor any part of the cargo, stores, or lading of the same, nor any articles or things belonging to the passengers, master, officers, or crew thereof, may leave, or be removed, or taken from such vessel, either to go or to be put on shore, or on board of any vessel in any port of any Presidency, unless by the direction of the Governor in Council, or of the Quarantine Board, or of some person duly authorized by them ; and every such vessel and all persons, goods, and merchandise thereon, and all vessels and persons having communication with the same, are subject to such rules and regulations as may be made by the Governor in Council.

The Governor in Council is authorized to frame such rules and regulations as may be deemed expedient for the government and direction of the lazarettos, and of such persons as may belong thereto or be placed therein.

• Nothing hereinbefore contained extends to prevent

the delivery by the officers in charge of Her Majesty's mails, or officers of the Royal Mail, or any other steam packet company, of any mails that may from time to time be on board of any such steam packet, under such rules and regulations for the prevention of the introduction of any of the before-mentioned diseases as may from time to time be made by the Governor in Council, who is empowered to make such rules and regulations in regard to the landing and receipt of the mails, and in regard to the coaling of the mail steamers, in any port within these islands.

Leeward  
Islands.

All former laws, rules, and regulations of any Presidency with respect to quarantine are repealed.

A glance at the former quarantine practice will enable the reader the better to realize the alterations effected in the united colony by the new Act.

The diseases which rendered at all times vessels subject to quarantine at Antigua were small-pox, yellow fever, and cholera. When any of these diseases were prevailing in the port of departure, then the vessel and crew, whether there had been sickness during the voyage or not, remained in quarantine, which was usually for fifteen days, reckoned from the date of departure from the infected port. The passengers were detained on board during the performance of quarantine. If any person was attacked with small-pox during quarantine, they were removed to the hospital at Fort James, and the quarantine on the vessel continued.

When a disease had ceased in any port which had been declared infected, and clean bills issued from that port, such vessels were admitted at once to pratique.

The quarantine ground is about three miles distant from the town of St. John ; and in 1849 a small hospital

**Leeward  
Islands.**

was erected there at Fort James, for the reception of small-pox patients.

Cargoes are not landed.

When sickness occurs in a vessel while in quarantine, medical assistance is provided at the public cost.

Vessels which arrived at Montserrat in a healthy condition from a non-suspected port were admitted to immediate pratique. Cholera, small-pox, and all other contagious, infectious, or malignant diseases, rendered vessels subject to quarantine, the duration of which was determined by the Governor, and seldom exceeded twenty-one days.

The Governor in Council might permit the landing of passengers from any vessel in quarantine, when he saw fit.

No record is kept of the sanitary state of vessels in quarantine. The first Quarantine Act in Montserrat was passed in 1853.

By the Quarantine Act of September, 1858, it was directed with respect to St. Kitts that—

“All vessels arriving in this island, together with all persons, goods, and merchandise whatsoever embarked therein, coming from any port or place where cholera, small-pox, measles, or scarlatina shall exist, or from any port or place from whence the Governor, by and with the advice of the Council, shall judge it to be probable that such distempers may be brought, or having had or then having on board any person ill of any of the aforesaid diseases, on board of which vessel any persons shall have died from any such disease as aforesaid during the passage to this island, shall, before such vessel is allowed to enter any port of this island, or any such persons, goods, or merchandise are permitted to be landed, be

liable to perform quarantine for such time and in such manner as shall from time to time be directed by the Governor.” Leeward Islands.

The health officer was directed to board all infected or suspected vessels, and to make strict examination of the ship and of all on board, and thereupon to determine whether, in his opinion, there was danger of any noxious disease being introduced into the island, and to act accordingly.

In 1854, a quarantine of twenty-one days was imposed upon all arrivals from Barbadoes, then infected with the cholera. The disease appeared soon afterwards, notwithstanding.

There was then no lazaret, either on shore or afloat.

No record is kept of vessels placed in quarantine.

The old “Quarantine Rules” of Nevis bear date 20th February, 1855, by which the previous rules, passed only six months before (July 1854), were repealed, as unnecessarily restrictive of commercial intercourse, and otherwise inconvenient.

The diseases for which vessels were placed in quarantine were the plague, small-pox, epidemic cholera, and yellow fever.

A vessel having any case of such diseases on board, or having had any death therefrom during the voyage, would be kept in quarantine during the continuance of such sickness; and for fourteen days after such sickness should have ceased, or for so much of the term of fourteen days as might remain unexpired from the day of the death. This rule is now extended to the other islands.

No other disease rendered a vessel liable to quarantine.

Arrivals from a port declared to be infected with any

**Leeward Islands.**

of the above diseases were liable to such quarantine as might be deemed expedient or necessary.

There is no lazaret at or near Nevis. The course pursued has been to keep the vessel with the sick on board in quarantine.

The health officer attends the sick on board vessels in quarantine.

No record is kept of the state of vessels detained in quarantine.

Small-pox and cholera were the diseases which subjected vessels to quarantine in Dominica. Vessels were not admitted to pratique till fifteen days had elapsed from the date of leaving an infected port.

Should any case of these diseases have occurred during the voyage, the ship would be liable to quarantine for so many days as might be fixed by the Board of Health.

In 1854, during the prevalence of cholera in Barbadoes, a quarantine of from fifteen to twenty-one days was imposed. The only person then exempted from the operation of quarantine was the agent for the mails on board the Royal Mail steamer, who was permitted to be on shore for a few minutes to exchange mails at the post office, the arriving mails being first fumigated near the sea-shore.

When a disease had been officially notified to have ceased in an infected place, and clean bills of health were issued therefrom, fifteen days were still to elapse before free pratique was granted in Dominica. There was no lazaret.

If sickness occurs in a vessel in quarantine, medical assistance is provided at the public charge.

Guards along the sea-shore at night have occasionally been employed to watch any suspected case of violation of law.

The first Quarantine Act is dated 3rd November, 1848, **Malta**, and provides against the introduction of small-pox and other contagious diseases. Several explanatory enactments were passed subsequently.

All contagious, infectious, or noxious diseases, but chiefly epidemic cholera, and small-pox, rendered vessels on arrival at the Virgin Islands liable to quarantine for five days if from an infected port, but without disease on board; and for forty days if there was any sickness on board.

The Governor might suspend quarantine whenever he saw fit.

There was no lazaret.

No cargo was considered "susceptible;" but soiled clothing from an infected port, or from a port lately infected within eight weeks after the last reported case, was required to be immersed in the sea and kept there for ten days, during which time the vessel having the clothing on board was subjected to quarantine.

No record is kept of vessels put into quarantine.

A clean bill of health is given with regard to the sanitary condition of the islands only.

### MALTA.

The regulations for the performance of quarantine at Malta are dated September, 1871.

The most recent legislation on the subject is an Ordinance of the Governor in June, 1856, wherein it is appointed that, "The head of the Civil Government, having heard the opinion of the Board of Health, by permanent sanitary regulations, or by orders issued for the occasion, determines the time when quarantine or

**Malta.**

any other sanitary measure is to be imposed on vessels, persons, merchandise, or other things, the place in which the quarantine must be observed, the restrictions necessary to ensure the object of the quarantine, the period during which the quarantine is to run, and the conditions to be observed for admission to pratique." This Ordinance is in part amended by Ordinances of 1867 and 1871.

Severe penalties are affixed to breaches of the regulations, including imprisonment with hard labour from six months to nine years, according to the cause or disease for which the quarantine was imposed.

The diseases which render all arrivals without exception from an infected port, whether the arrivals be sick or well, subject to quarantine are plague, yellow fever, and the cholera;—of twenty-one days for the plague, and of five days for the yellow fever, and the cholera.

There is no country now subject to a permanent quarantine, all arrivals carrying a clean bill of health being admitted to a free pratique. Repeated complaints were formerly made by British ships of war of the long and vexatious quarantines imposed on arriving from all ports in the Levant, and the serious inconveniences to the public service in consequence; and lengthened diplomatic correspondence has on several occasions ensued, as in the case of Admiral Stopford in 1838.

In 1838, the quarantines imposed on men-of-war from these ports were fifteen days with clean bills; eighteen days with suspected bills; thirty-five days with foul bills. In the case of merchant vessels, these periods of detention commenced from the time of unloading susceptible goods into the lazaret.

The English Government strove to have the days of

the voyage included in the above periods when the bills of health were clean, and no sickness had occurred during the voyage, more especially in the case of ships of war; but the proposal was resisted by all the other Mediterranean powers, except by that of France. Malta.

The existence of small-pox on board subjects the vessel to a quarantine which varies according to circumstances. Vessels with other diseases on board are examined by the lazaretto physician on entering port, previous to receiving pratique.

No difference is made in the quarantine imposed when a medical officer is on board. In the case of men-of-war, &c., the voyage is sometimes reckoned as part of the quarantine, at other times it is not.

A bill of health is considered as foul when the port of departure, or the country from which the vessel arrives, is actually infected with plague; it is considered as suspected after the expiration of forty-one days from the last case of plague, and clean after the expiration of one year from the last case.

There is an extensive lazaret establishment on a small island in the quarantine harbour.

Passengers' baggage, &c., is sent to the lazaret for depuration.

When sickness occurs in a vessel while in quarantine, the patient is landed at the lazaret, and treated at the public expense.

When a vessel arrives in a foul and sickly state, she is inspected by the lazaret physician, and every precautionary measure adopted as to cleanliness and ventilation; and when necessary the cargo is removed, and the hold of the vessel washed out and fumigated.

A record is kept of all vessels put in quarantine.



**Malta.**

Before a vessel receives a clean bill of health on leaving Malta, she is inspected.

Sanitary cordons by land were adopted formerly, independently of the sanitary establishment. The lazaretto being on an island, renders this measure, except in extreme cases, unnecessary.

By the new rules of 1879, arrivals from the Black Sea, the Sea of Azov, and the Turkish Empire, Montenegro, and Tripoli, are subject to a quarantine of twenty-one days, to commence after the disinfection of the vessel.

Arrivals from Greece, Egypt, and Tunis are to be kept in quarantine until further orders.

Men-of-war coming from any of the above-mentioned places, are to be subject to a quarantine of nine days, to commence after the disinfection of the vessel.

Vessels passing through the Suez Canal without communicating with the ports, are admitted to free pratique.

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### MAURITIUS.

The enactments relating to quarantine have undergone repeated changes of recent years, and generally with increasing stringency. The successive ordinances and proclamations, No. 38, of 1844, No. 37, 1851, September, 1852, and April and June, 1856, were repealed by the Ordinance of No. 3, 1857, and the regulations therein issued by the proclamation of the governor. These regulations are very stringent and enjoined to be carried out with rigour; they are directed specially against cholera and small-pox. All vessels arriving from any place where contagious and infectious diseases, including cholera and yellow fever, exist, are to be detained in quarantine until the expiry of twenty days from the date

of departure from the infected place ; or, if any case of **Mauritius**. such diseases has occurred during the voyage, until twenty-one days have elapsed from the termination of the last case of the disease by death or perfect recovery, if it be cholera or small-pox, and fifteen days if it be the fever or other contagious disease. The failure of the production of a clean bill of health is sufficient to cause a vessel to be ordered into temporary quarantine ; a vessel is also liable to the same if she carries immigrants or Chinese passengers, or cattle from the isle of Madagascar. The cattle Quarantine stations are near the Bight of Fort William and at Flat Island.

The expressions "contagious and infectious," are defined by the Act "to mean any and every disease which may be communicated from one person to another through the medium of touch, or by near approach, and shall include the cholera morbus."

No difference is made in favour of ships of war, yachts, or of any persons.

Quarantine is continued to be imposed up to twenty-one days from the period at which the disease is reported to have entirely ceased in an infected port of departure, the length of the voyage being, however, always reckoned as part of the twenty-one days.

There are two permanent lazarets, one at Flat Island for cholera only, and the other at Cannonier's Point for all other diseases. Flat Island is about ten miles from the mainland of Mauritius, and is used almost exclusively for Indian immigrants and for the officials of the quarantine establishment, including the surgeon superintendent, pilot, and the police force. A small steamer is kept for the conveyance of stores, letters, &c., between Port Louis and the island, and she is held in permanent

**Mauritius.** quarantine so long as the island is considered to be in quarantine, so that there is no direct communication all the time between the vessel and the shore.

Ordinance No. 8, of 1877, repeals Art. 15, of Ord. 3, 1857, and enacts that no person who shall have been subjected to quarantine at either of the permanent quarantine stations, shall on any pretence, leave such station, until he shall have been admitted to pratique, nor leave any vessel when the same is ordered to perform quarantine in the roadstead of the port.

Private passengers generally prefer performing their quarantine on board their ship, which, after landing the immigrants on the island, goes round to the anchorage in the roadstead, to the leeward of all the other vessels, to ride out her full period. They are under the supervision of a guard-vessel, and with two quarantine guards on board each ship, to prevent all communication with the shore or with other ships.

The other lazaret is about twelve miles distant from Port Louis ; it is also principally intended for the use of the Indian immigrants, by whom alone, with the exception of a few sailors landed sick from ships, it has hitherto been occupied. There are excellent accommodations for the immigrants and for all the officials, including the surgeon, superintendent, apothecary, &c.

Persons landed at either of the lazarets perform quarantine for the following periods, viz. : twenty-one days for cholera, from the death or perfect recovery of the last patient ; twenty-one days for small-pox, from the death or perfect desquamation of the last patient ; and fifteen days for typhus, yellow fever, and other contagious or infectious diseases, from the death or perfect recovery of the last patient.

Vessels, after landing their immigrants and all other **Mauritius** infected persons, have to perform quarantine for the above-mentioned periods ; and if any fresh case occurs before the vessel receives pratique, such periods are calculated from the death, recovery, or landing at the lazaret of the sick person.

In all cases when Indian immigrants are released from quarantine, their clothing is destroyed, and fresh clothing is given to them at the expense of the Government.

The cargo must remain on board during the quarantine of the ship, and is liberated with it without any purification ; it almost invariably consists of rice and other grain.

No objects, except letters and coins, may, without written authority of the colonial secretary or chief medical officer, be passed out of any place or vessel in quarantine ; and every object which may be passed out shall, before being forwarded, be disinfected, &c.

Special instructions are given as to the side of the vessel, whether to leeward or windward, by which the medical officer is to approach an immigrant vessel on arrival ; and very severe penalties, including the authority to fire upon persons attempting to escape from a quarantine station or vessel in quarantine, are affixed to breaches of the law.

When sickness occurs on board other than immigrant ships in quarantine, medical advice is given alongside by the health officer, who cannot, however, go on board.

No record is kept of the sanitary state of vessels put in quarantine.

No inspection of a vessel is made before granting her a clean bill of health on leaving the port.

THE SEYCHELLES ISLES are subject to the Governor

**Natal.** of the Mauritius. The Ile Longue is their permanent quarantine station. The regulations in force are similar to those of the Mauritius. The Ordinance is dated No. 19 of 1875.

### NATAL (PORT).

The diseases which render vessels liable to quarantine are cholera, small-pox, and others of a malignant, contagious, and epidemic character. The duration of the quarantine depends on the severity of the disease, its character, and type, or the port from which the vessel sailed, and other circumstances, and is regulated by the rules given below.

In 1859 two vessels arrived from ports where small-pox prevailed, viz., Cape of Good Hope and Algoa Bay. One vessel was quarantined for three days, the other for two days, to ascertain if the initiatory stage of the disease might manifest itself before pratique was granted.

The health officer would attend any sick on board, if there were no surgeon on board.

Every vessel arriving from an infected port is inspected, and a record is kept of the sanitary condition of vessels put in quarantine.

The following regulations were made in 1868, under the Law No. 3, of 1858:—

1. There shall be set apart and appropriated for this Colony one permanent quarantine station, at Salisbury Island, in the Bay of Natal, at the eastern point of the said island.

2. The quarantine station at Salisbury Island shall embrace about four acres of that island, bounded as follows:—On the south-west by a portion of Salisbury

Island, and on every other side by the low water-mark **Natal**, on the shore of the said island, together with the sea adjacent thereto, to the distance of 200 yards from the shore at low water.

3. There shall also be at Salisbury Island a portion of ground extending 200 yards on the landward side of the said station, which shall be termed the neutral ground, attached to the lazaret, and shall be used for the purposes hereinafter set forth.

4. Whenever it shall be necessary for any vessel or vessels to perform quarantine at Port Natal in manner hereinafter provided, such vessel or vessels, and the sea surrounding them respectively to the distance of 200 yards, shall be held to be a quarantine station for the whole time during which such vessel or vessels may be in quarantine at the said port.

5. Any vessel performing quarantine at the said port shall, during the whole continuance thereof, be under the direction of the port captain, and all persons on board of such vessel shall be bound to obey all lawful orders issued by the port captain so long as such quarantine continues.

6. The pilot and the health officer shall approach vessels to windward within speaking distance, and shall not go alongside or on board any vessel unless they shall believe that the vessel is free from infectious or contagious disease.

7. The district surgeon of Durban shall, *ex officio*, be the health officer for the port of Natal for the purposes of the said Law No. 3, 1858, and of these regulations.

8. The quarantine station referred to in Section 1 of these regulations shall be under the charge of a resident superintendent.

**Natal.**

9. The said resident superintendent shall, under the direction and control of the health officer, have the sole superintendence of all the persons forming the quarantine establishment, and of all the persons who may be in quarantine there, all of whom are hereby bound to obey all lawful orders.

10. Persons landed at the quarantine station shall perform quarantine for the periods following :—

- a.* For cholera, twenty-one days from the death or perfect recovery of the person last affected.
- b.* For small-pox, twenty-one days from the death or perfect desquamation or recovery of the person last affected.
- c.* For typhus and yellow fever, and other contagious or infectious diseases, fifteen days from the death or perfect recovery of the person last affected. When the last death, recovery, or desquamation occurred any time before quarantine was ordered, such time shall be taken into account in calculating the above periods.

11. Throughout the whole time during which quarantine is ordered to be performed, a copy of the afore-said Law, and these or any other regulations issued in virtue thereof, and in force for the time being, shall be placed in a conspicuous part of the station or vessel in quarantine, as the case may be, and shall be accessible to all persons so in quarantine.

12. All letters or parcels for persons in quarantine shall be sent to the port office, whence they shall be forwarded by the earliest opportunity.

13. Whenever any articles shall be taken by land to the station at Salisbury when in quarantine, the person

or persons in charge of such articles shall leave them in **Natal**, a shed to be erected for that purpose in the centre of the neutral ground, and shall then retire to the outward boundary of such neutral ground; after he shall have reached such boundary, the articles shall be taken into the quarantine station by some person or persons thereto attached, who shall, if required, leave a written acknowledgment for the same. Such acknowledgment shall (after being duly disinfected) be delivered by one of the military or police on duty to the chief person sent in charge of the articles as aforesaid.

14. Whenever any article shall be taken to any vessel or to the quarantine station when in quarantine respectively, they shall be forwarded in one or more boats furnished by the port captain, bearing a yellow flag, and shall be accompanied by an officer of the port department.

15. Such boats, when sent to the quarantine station, shall lay off at the distance of 200 yards from the landing-place thereat, and shall tranship the articles from one or more boats to the station. If the weather does not permit such transhipment, and it is necessary to forward the articles, they shall be landed at the quarantine station in the boat or boats conveying them; and the military or police, or other authorities at the station, shall take proper precautions for preventing any person in quarantine from approaching the landing party.

16. Articles shall be conveyed to a vessel in quarantine in the following manner:—One of the vessel's boats shall be moored, as nearly as may be, 200 yards therefrom, and any persons who may have been in such boat shall return to the vessel. After they have done so, the boat containing the articles sent shall approach the said ves-



**Newfound-** sel's boat, into which the articles shall be transhipped.  
**land.** It shall then retire ; and any person from the vessel may proceed to remove the said articles or boats containing the same, care being taken that there shall be at least 200 yards between the persons so coming from the vessel and the boat from shore.

### NEWFOUNDLAND.

This colony is governed by the provisions of the 29 Vict. c. 4 (1866). With respect to the port of St. John, vessels found free from disease by the health officer, and not coming from an infected port, are admitted to pratique immediately. Any vessel coming from an infected port, on board of which no disease has occurred, and having been at sea fourteen days, or more, is admitted to pratique, or, if under that time, is detained in quarantine until fourteen days have elapsed since the commencement of the voyage.

An infected vessel, that is, a vessel in which disease exists, or has existed during the voyage, is immediately placed in quarantine, with all persons, goods, and merchandise on board.

With respect to the other parts of the colony, in any case where the health officer or stipendiary magistrate considers it necessary, he is empowered to order any vessel, and all persons and things on board, into quarantine ; and if any infectious or contagious disease is on board, to take all proper measures for the protection of the passengers and crew, and the community on shore.

No vessels subject by the sanitary regulations to be examined, may be admitted to entry until a certificate of such examination, signed by the health officer, is

exhibited, nor may such vessel be admitted to entrance or clearance until all fees and charges are paid. **Newfound-land.**

All vessels placed in quarantine must, while in quarantine, carry at their foremast head, in the day time, a yellow flag, and at night a signal lantern with a light therein.

All infected vessels must be thoroughly fumigated, and all clothing, or such articles as the health officer deems necessary, are destroyed, or subjected to purification. Disobedience to quarantine orders entails a penalty of 800 dollars, or a prosecution for misdemeanour, with fine and imprisonment at the discretion of the court.

## NEW SOUTH WALES.

### SYDNEY.

Every vessel not being a coaster is visited by the health officer as soon as she arrives in port, and the master or other person in charge of the vessel is required to give answers to the questions addressed to the captain or surgeon of the vessel. If it appears to the health officer that the sanitary state of the vessel is good at the time of her arrival, and that no infectious or contagious disease has prevailed on board during the voyage, she is at once allowed pratique; if not, she is taken to the quarantine station, and the health officer recommends to the Government the adoption of such measures as the circumstances of the case seem to him to render necessary. Every case of quarantine is dealt with on its own merits without reference to any classification of disease, or of ports from whence the vessels may have sailed. By this course of procedure, much vexatious delay and

**New South Wales.** unnecessary expense is avoided, and every vessel is admitted to pratique at the earliest possible period, compatible with a due regard to the public health.

The existing Quarantine Act is dated the 24th of October, 1853. The regulations therein prescribed have never been acted on so far as relates to the "grades and classes of quarantine" therein proposed.

The diseases which render vessels liable to quarantine are small-pox, or other infectious or contagious diseases; the duration of quarantine depends on the date at which the disease had ceased to exist on board at the time of arrival.

No reliance is placed on bills of health brought by ships. No difference is made between men-of-war, merchantmen, &c.

The quarantine station is about six miles from Sydney, and comprises substantial and well-ventilated buildings, capable of accommodating four hundred and fifty persons, with complete arrangements for washing, cooking, &c.

There is also a floating hospital for the reception of infectious or contagious diseases.

No cargoes are sent to the lazaret; none arriving in this port are considered susceptible.

When a vessel is found on arrival in a foul and unwholesome state, measures are taken to have her thoroughly cleansed and purified. A medical inspection is made of the passengers, &c., on board of passenger ships sailing from the colony, in the same manner as is required by the "Passenger Act" (18 & 19 Vict. c. 119), to be done with regard to passenger vessels sailing from the United Kingdom. An inspection is also made of the provisions, of the fittings and accommodation for the passengers, and of the means provided for ensuring efficient

ventilation of the "between decks," and the ship is not allowed to clear until she has received a certificate of such inspection. New South Wales.

In 1832, when the dread of the cholera being carried by shipping from place to place, however remote, pervaded every part of the British Empire, a long and complex "Act for subjecting vessels coming to New South Wales from certain places to the performance of Quarantine" was issued by the Colonial Office to this as to other distant colonies in different parts of the world. Its provisions were founded on the opinion that this, and other such infectious diseases, might be kept out of a country by rigorous precautionary measures against all persons and things arriving from a place where the disease existed, or was suspected to exist, at the time of the departure of the vessel.

By the quarantine regulations in force in Port Jackson, the health officer may place any vessel (requiring the same), her crew and passengers, within any of the following grades:—

1st. When virulent disease exists at the time of the arrival of the ship.

Vessels placed in quarantine under this clause will remain for an indefinite period, which will entirely depend on the continuance of the disease and general health of the persons.

2nd. When disease exists at the time of arrival of the ship, which does not require a separation of the healthy from those diseased; or, when there may not be any present existing disease, but, from its recent occurrence, precautionary measures are requisite for cleansing and purifying the vessel.

Under this clause, a vessel may be detained for a

**New Zealand.**

period not exceeding twenty-one days, unless fresh cases appear to render her longer detention necessary.

3rd. When vessels may arrive from proclaimed ports, or from places in which virulent disease has existed, but which has not made its appearance during the voyage.

Under this clause, vessels will not be detained for a period exceeding seven days, provided nothing which would render longer detention necessary occurs in the meantime, and that a satisfactory certificate is produced to the superintendent of quarantine, that all necessary measures for cleansing and purifying have been taken.

#### NEW ZEALAND.

The Governor, in a Despatch dated 15th November, 1859, and addressed to the Duke of Newcastle, states that, "from the reports of the health officers it will be seen that at eight out of the nine ports of the Colony, no infectious diseases whatever have been imported into New Zealand during 1858. At Dunedin, the chief port in the province of Otago, two emigrant ships arrived, one with the measles, and the other with scarlet fever on board; but no other vessel has ever been placed in quarantine, owing to local difficulties which the medical officer thinks are too great to admit of any efficient quarantine regulations being carried into execution."

The quarantine regulations of the Colony are under Act No. 60 of 1876; power is vested in the Governor and health officer to detain vessels having any sickness of a contagious or infectious nature on board in quarantine, and to institute such measures as the nature of each case may demand.

The Governor also may confer certain of his powers on the Board of Health. The Governor may, by proclamation, notify that any place beyond or within New Zealand is infected, and that all vessels arriving in New Zealand from such place shall be liable to quarantine. He may make regulations concerning quarantine with regard to such vessels from the time of their arriving within New Zealand, or within one league's distance of the coast. All regulations are notified by proclamation in the *Gazette*. In case of emergency, he may make orders concerning any vessel having infectious disease on board, although she has not come from a place declared to be infected. He may appoint stations, for vessels to perform quarantine in, and lazarets.

The health officer, with or without a medical practitioner, may inspect any part of a vessel on arrival, and any of the passengers or crew. Where there is no health officer, two justices of the peace may exercise most of his powers.

Goods liable to quarantine are opened and aired.

### QUEENSLAND.

By rules dated March 3rd, 1873, under the provisions of the 27 Vict. No. 9, every vessel arriving in the colony from a foreign port, is visited by the health officer, who puts certain questions to the captain or surgeon of such vessel, relating to the health of the passengers and crew; and a paper containing these questions is handed to the captain or surgeon of such vessel, who must affix (in writing) his replies and signature thereto, and return it to the health officer; if there be no infectious or contagious disease on board,

**Queens-  
land.**

and if none has existed during the voyage, and if she has not touched at any port or place where any infectious or contagious disease has prevailed, or has not communicated with any other vessel on board of which any infectious or contagious disease has existed, such vessel is at once admitted to pratique; that is, if not more than fifty passengers, being statute adults, have arrived by her. Before any ship arriving in the colony from a foreign port with more than fifty passengers is admitted to pratique, the health officer may, if he think fit, direct that the passengers and crew of such vessel be landed at a sanitary station, appointed by the Government, for a period of two or more days, for the purpose of affording all the passengers and crew an opportunity of bathing, and of washing and airing all linen, clothing, bedding, &c., that may have been worn or used during the voyage, and so soon as the surgeon superintendent of such ship certifies in writing, to the health officer, that this regulation has been faithfully carried out, and that all linen, clothing, bedding, &c., has been thoroughly cleansed and aired, the health officer will then admit the ship and passengers to pratique.

Should there be any infectious or contagious disease among the passengers or crew of any vessel arriving from a foreign port, the health officer will not go on board, but will direct the captain or person in charge of the vessel to hoist the quarantine signals, a yellow flag by day at the main-truck, and a signal lantern by night in the same place, and to proceed with the ship and passengers to the place duly appointed for the performance of quarantine.

The pilot who has boarded any vessel in which any

infectious or contagious disease is found to exist, or any **St. Helena**. other vessel liable to the performance of quarantine, may not quit such vessel without the permission of the health officer, but must proceed with the vessel to the quarantine station.

### ST. HELENA.

No quarantine is imposed unless in case of disease existing on board, or having recently occurred. The diseases for which it is imposed are small-pox, measles, scarlet fever, whooping-cough, cholera, and yellow fever.

As vessels only remain here to water, &c., the quarantine lasts usually for the few days during their stay at **St. Helena**.

No difference is made in favour of men-of-war.

There is no lazaret. In 1844, when many captured slavers with slaves were brought to **St. Helena**, one of the hulks of the slavers was used as a lazaret.

If medical assistance was required for a vessel, it could be easily obtained, but not at the public cost.

No inspection is made of vessels in quarantine, and no record is kept of such vessels.

Scarcely any but foreign vessels leaving **St. Helena** require bills of health, and they are furnished by their respective consuls. No previous inspection is ever made.

It is believed that evasions of the quarantine regulations are of frequent occurrence. They consist in giving an incorrect certificate on arrival.

The local ordinance relating to quarantine is founded on an Order in Council, dated 11th of June, 1839.



**South Australia.**

Clause 54 enjoins that "in case any contagious disease shall be found to prevail in any ship, either before or after she shall have been visited by the health officer, then every person who shall happen to be or to have been on board shall be in quarantine, and shall remain on board, or shall proceed to such place as shall be appointed by the Governor, there to remain until all danger to be apprehended shall be declared, by a medical board to be for that purpose appointed, to have ceased."

## SOUTH AUSTRALIA.

### PORT ADELAIDE.

Vessels having had during the voyage, cases of small-pox or other eruptive fevers, cholera, or typhoid fever, or arriving from any place which is notified by the Governor as infected, are together with their goods and passengers, and all persons having communication with them, placed in quarantine till the health officer has had the opportunity of enforcing proper cleansing and fumigation. The sick are landed at the quarantine station. In the case of small-pox, the ship and passengers are kept in quarantine till such a time (usually three weeks) has elapsed since the last case of convalescence, as to satisfy the health officer that the risk of contagion has ceased. The sick are placed in a hulk, moored some distance from the shore.

The quarantine station is on Torrens Island, distant about five miles from Port Adelaide.

The Governor may appoint other lazarets and places for performing quarantine. No boats or persons may commu-

nicate with any vessels until the latter have been visited by the health officer. A medical officer may be appointed for persons in quarantine at the cost of the owners of the vessel, and provisions and medicines may be supplied at the like cost. Masters are to make report to and answer the questions of the health officer, under penalty of £300 or two years' imprisonment. When a vessel is not liable to quarantine, the health officer will give the master a clean bill of health. Goods are opened and aired in the places appointed for that purpose.

The Ordinance is No. 64, of 1877, and the health officer is authorized by the regulations under it, to make any order he may think necessary for the proper ventilation, fumigation, or cleansing of any ship arriving, to inspect the bedding and clothes of the passengers, and to order such bedding and clothes to be properly washed, fumigated, or otherwise purified, or, if he think it necessary for the safety of the public, to destroy what he considers cannot be properly cleansed.

### STRAITS SETTLEMENTS.

By virtue of Ordinance No. 7, of 1868, it is enacted that it shall be lawful for the Governor in Council, from time to time, to make such regulations or orders as may seem necessary and expedient to provide for the steps to be taken in the following cases and for the following objects:—

1st. In respect to vessels which may at any time arrive at any port or place in this colony, having on board any infectious or contagious disease, whether as respects man or beast, or on board of which any such disease may have appeared in the course of the voyage;

**Straits  
Settle-  
ments.**

or which may at any time arrive under any other alarming or suspicious circumstance as to infection ; and also with respect to the persons, animals, goods, merchandise, packages, baggage, wearing apparel, and other articles on board the same, so as to remove or lessen the danger of such disease being introduced into or spreading in this colony.

2nd. And also for declaring the time of quarantine to be performed by particular vessels, or by particular persons, goods, merchandise, packages, baggage, wearing apparel, or any other article, or for absolutely or conditionally releasing them or any of them from quarantine.

3rd. In case of any infectious or contagious disease of a malignant nature, whether in man or beast, breaking out or spreading in any town or district of this colony, under circumstances which render it advisable that measures should promptly be taken for securing the public health.

When the cholera broke out at Batavia in 1873, the Executive Council of Singapore established a quarantine anchorage, and a quarantine of ten days' duration.

**TASMANIA.**

The Act No. 14, of 1841, is in force in this colony. If it appears to the pilot, port officer, or his assistant, or harbour master, in answer to the formal questions put to every vessel arriving in the river Derwent, or river Tamar, that any person on board such vessel is infected with small-pox, measles, or is under any other alarming circumstances as to infection or contagion, or has died

on board such vessel since leaving her last port of any **Tasmania**. such disease, or under such circumstances, the pilot port officer, or his assistant or harbour master, must give notice to the captain or other officer in charge of the vessel, to proceed immediately to anchor at some place between Sandy Bay Point and the eastern side of the river Derwent, Sandy Bay Point bearing north of west in the river Derwent, or on the western side of Middle Island in the river Tamar, as the case may be. The captain or other officer in charge of the vessel is bound, upon such notice, to hoist a yellow flag of six breadths of bunting at the main-top-mast-head, and to keep such flag at the main-top-mast-head from sunrise to sunset, and a signal lantern with a light in it from sunset to sunrise at the same place. A penalty not exceeding one hundred pounds is to be inflicted on the officer in charge in the case of neglect of any orders.

### TRINIDAD.

The Ordinances in force are No. 9, of 1871, and No. 3, of 1877.

Small-pox and cholera are the diseases which cause the imposal of quarantine, the duration of which is regulated according to the lapse of time after leaving the infected port, and the period of incubation, as far as can be known of the disease to be guarded against. In general, but subject to any special rules of the Executive Council, the following duration of quarantine is observed :—

Every vessel arriving at the island, together with all persons, goods and merchandise thereon, coming from any place declared by the Governor to be infected, or having on board any person who has come from any

**Trinidad.** such infected place, or who is ill of a contagious or infectious disease, or on board of which vessel any person has died, or has been ill from any such disease, during the passage to the island, is liable to perform quarantine for fourteen days, or for less time, as may be directed.

The cleansing and purification of the ship, and the washing and disinfection of the clothing of the crew, &c., and similar processes, are employed. Special rules exist in favour of the delivery of the mails.

During the prevalence of cholera at Barbadoes and Grenada in 1854, special precautionary regulations were enforced, *c. g.*—

“All passengers and crews on board vessels in quarantine were informed that unless all foul linens shall be steeped for at least eight hours in hot and fresh water, and well sprinkled with vinegar afterwards, and that all clothes and bedding shall be aired at least eight hours in the sun, they shall not be released from quarantine.

“Passengers and others wishing to destroy their foul linen or bedding must cause it to be burned on the quarantine islands, at such place as shall be directed, and not be thrown overboard.”

A boat was sent daily from Port of Spain to the quarantine islands with necessary provisions, &c. ; but no communication was permitted between the crew of the boat and the vessels and persons in quarantine beyond landing the goods. The utmost vigilance was adopted by night and day to prevent any intercourse whatever either with Port of Spain or with other vessels.

Men-of-war are expected when they arrive with sickness on board to report it, and not communicate with the shipping or the shore ; and in the case of troops arriving, it has been customary to require them to be segregated

in their barracks, till the danger of infection is past, if **Victoria**. they have come from an infected place.

Carrera's Island is used as a lazaret station when required. The sick are sent to one part, and the disinfected to another part. Vessels are anchored off Mucurapo Point.

Cargoes are not landed ; but certain articles can be disembarked from vessels in quarantine, under the supervision of the harbour master, by the direction of the Executive Council. When serious sickness occurs in a vessel under quarantine, a medical man may be sent on board, but the same will become liable to quarantine.

No examination is made by the health officer of a vessel before bills of health are granted ; but every vessel and their crew are inspected by the harbour master previous to sailing. Foreign consuls sometimes grant bills of health to vessels of their own nation, without reference to the health officer appointed by the local Government to perform this duty. Documents thus surreptitiously issued cannot be depended upon, and open the door to imposition and fraud.

In former times, some abortive attempts were made to prevent the introduction or spread of pestilential disease by quarantine measures on land.

The enactments of the proclamation by the Governor issued in 1837 were of exaggerated stringency, and are repealed.

## VICTORIA.

### MELBOURNE.

The Governor in Council may make orders from time to time for the prevention of epidemic, endemic, or con-

**Victoria.** tagious diseases in the Colony, and for providing medical help for persons afflicted with such diseases.

All vessels arriving from foreign ports are boarded at Port Philip Head, and inspected by the health officer stationed there. If they are found to be in a filthy condition, and there is sickness on board, they are detained until thoroughly cleansed, fumigated, and purified with a solution of chloride of zinc; when these purifications have been effected, the health officer reports the fact by telegraph to the chief medical officer, and the vessel and healthy passengers are then generally allowed to proceed, the sick and convalescent having been previously landed on the quarantine ground, where they are detained until quite recovered. Quarantine, varying from seven to forty days from the date of the convalescence of the last case of cholera, small-pox, and infectious fevers, is imposed. If no case of any of these diseases has occurred on the voyage, a quarantine of three days is imposed on arrivals from a port infected with them. But no strict rule is laid down; the health officer is guided by the circumstances of each case.

The quarantine ground is finely situated on a promontory, named Point Nepean, on the east side of the entrance of Port Philip Bay, and contains about six square miles. There are five spacious stone buildings, detached from each other, and each capable of affording hospital accommodation for 100 persons, and provided with every convenience.

Cargoes of vessels placed in quarantine are not sent to the lazaret.

A record is kept of the sanitary state of all vessels placed in quarantine.

The latest Quarantine Acts are No. 64, of 1865, and

No. 310, of 1867 ; they vest large discretionary powers in the health officer to carry out such precautionary measures for the protection of the public health against the introduction of disease by shipping as he may deem expedient, annual reports being presented to the Legislature.

**Western  
Australia.**

## WESTERN AUSTRALIA.

### FREEMANTLE.

All vessels, as well Her Majesty's ships of war as others, coming from or having touched at any place from which the Governor has adjudged it probable that any infectious disease might be brought, and all vessels and boats receiving any person, goods and merchandise out of any vessel coming from an infected place (whether the persons, goods and merchandise have been on board the vessel before or after the arrival of the same at any place in the Colony), and all persons, goods and merchandise coming from or having touched at any infected place, or from on board of any infected vessel or boat, are considered liable to quarantine from the time of the departure of the vessel from such infected place, or from the time when such persons, goods and merchandise were received on board. All such vessels and boats, and all persons, as well pilots as others, goods and merchandise brought in such vessels or boats from such infected place, or being put on board the same (either before or after the arrival of such vessels or boats at any place in the Colony), and all persons, goods and merchandise, on board such receiving vessel or boat as aforesaid, are, upon their arrival at any place in the Colony, obliged to perform quarantine for such time as



**Western  
Australia.**

may be notified by proclamation in the *Government Gazette*. Until such vessels, boats, persons, goods and merchandise shall be duly discharged from quarantine, no person, goods or merchandise may come or be brought on shore, or on board any other vessel, unless in such manner and by such license as may be directed by the Governor.

Her Majesty's mails, and loose letters, after being duly fumigated, may be brought on shore by the quarantine officer without other procedure.

The Quarantine Act now in force in this Colony is No. 12, of 1868.

The diseases for which quarantine would be imposed are plague, cholera, and yellow fever; formerly also small-pox, scarlatina, measles, hooping cough, and typhus.

The quarantine imposed upon the *Anna Robertson*, for hooping cough, in December, 1851, was non-intercourse with the shore and other vessels until the removal of the infected children to the island of Carnac. Other vessels have been quarantined for a few hours.

## WEST AFRICA SETTLEMENTS.

### THE GAMBIA.

By Ordinance No. 2, of 1875 (amending the Ordinance of 7th October, 1856):—

An inspector of health visits every vessel in quarantine, and prescribes for the sick at the expense of the person in charge of the vessel. Temporary hospitals are appointed for persons suffering from any contagious dis-

ease for which the Executive Council may provide rules ; such hospitals are within quarantine.

**West  
Africa Set-  
tlements.**

By a further Ordinance (No. 5, of 1877) :—

No vessel arriving at the river Gambia may come to any place closer than a quarter of a mile from, or hold any communication except by signal with, the shore, until admitted by pratique by the quarantine officer.

This colony had been happily so free from the visitations of contagious disease for upwards of thirty years, that no special quarantine regulations had been framed by the local Government. For many years there had not been even a suspicion of contagious disease in any vessel touching at the port. In the event of a vessel being suspected, it was the duty of the colonial surgeon to visit her, and impose such restrictions between the crew and the shore, as would, in his judgment, most effectually tend to prevent the contagion from spreading.

#### SIERRA LEONE.

The Ordinance is No. 8, of 1873.

The diseases which render all arrivals subject to quarantine are cholera, small-pox, and yellow fever. The quarantine imposed would be anchorage of the vessel in a situation pointed out by the Governor until the inspector of health might recommend her receiving pratique.

No difference is made between men-of-war and merchant vessels.

There is a lazaret about four miles distant from Freetown, at the water side, constructed of wood. The charge for accommodation, food, and all other neces-

**Windward Islands.** saries is 1s. 3d. per day for the treatment of liberated Africans, and is paid by the Imperial Government.

No cargoes are ever landed.

The sick on board a vessel in quarantine are attended by the inspector of health at the cost of the ship.

A vessel in quarantine, if found to be filthy or badly ventilated, would be reported upon by the inspector of health to the Governor, who would give such instructions as the case required.

No inspection is made of a vessel prior to a clean bill of health being granted.

## THE WINDWARD ISLANDS.

### BARBADOES.

The Quarantine Act of September, 1832, and the Supplemental Act of April, 1837, modified by the Act of July, 1839, relaxing the severity of the penalties previously affixed to any breach of the regulations, were repealed by the Act, No. 26, of 1874, but their provisions had been nearly inoperative for some years before.

When a vessel arrives with any infectious disease on board, or which has had any such disease on board during her voyage, she is visited by the medical officer, and he reports the case to the Governor, who awards the necessary length of quarantine. It is notorious that the quarantine is loosely performed; it has, at times, been all but discontinued. Although vessels arriving there from infected ports, or with disease on board, are not admitted to immediate pratique and without precaution, yet the sick may be

landed and located anywhere favourable to recovery. **Windward Islands.** It is said that no instance has occurred of an epidemic outbreak which exact investigation has been able to trace to the relaxation of the quarantine regulations.

There has never been any permanent lazaret, either on shore or afloat. A temporary hulk has been occasionally used for receiving the sick.

#### ST. VINCENT.

The Act in force is No. 313, of 1869, amended by No. 379, of 1874.

The Governor in Council may declare any port or place to be infected, and all vessels arriving from such port or place is liable to perform quarantine. The harbour master or visiting officer may interrogate the master of every vessel as to the state of health on board, &c., and such vessel may be ordered into quarantine. The Governor in Council may appoint lazarettos, and frame rules for the same. There are special rules for the receipt of the mails, which are as favourable as safety permits.

Subject to any special rules of the Governor in Council, the following applies to the duration of quarantine of all vessels :—

1. All vessels on board of which any person shall be sick, or shall have been sick, of any contagious or infectious disease, or shall have died of such disease within fourteen days before such vessel's arrival at this Colony, shall remain in quarantine until the expiration of fourteen days from the day when such sickness shall cease, or shall have ceased, or from the day when such death shall have occurred.

**Windward  
Islands.**

2. All vessels that shall have sailed from or touched at any infected place, or shall have any person on board who shall have come from any such place, shall remain in quarantine for such time, not being less than two days nor exceeding fourteen, as shall be directed by the Quarantine Board on a due investigation of all the circumstances of the case.

3. If during the continuance of a vessel in quarantine, any person on board such vessel falls sick of any contagious or infectious disease, such vessel shall be liable to remain in quarantine for a further period of fourteen days from the day when such sickness shall cease.

**GRENADA.**

All vessels from whatever port, with cholera or other malignant or infectious diseases on board, are subject to quarantine, at the discretion of the Governor. The quarantine is usually only enforced so long as the island remains free from the disease. But in the event of the disease occurring on shore, vessels are then admitted to pratique, and the sick, if any, removed to hospital.

The Governor may declare places to be infected, and all vessels arriving at the island or any of its dependencies, and all persons, goods and merchandise thereon coming from any place declared to be infected, and any vessel having on board any person who has come from any infected place, or who is ill of any infectious disease, or on board of which vessel any person shall have died from any such disease during the passage to the island or any of its dependencies, are liable to perform quarantine. Subject to any special rules of the Governor in

Council, the rules of the duration of the quarantine are the same as those of St. Vincent. **Windward Islands.**

The Governor in Council may provide lazarettos, and may frame rules for the same.

The mails may always be delivered under certain regulations for preventing the introduction of disease.

The certificate from a medical officer on board is generally considered sufficient to admit to pratique, except in the case of immigrants, when it is considered advisable to subject the vessel to the inspection of the health officer from the shore.

There is no specific lazaret, but in case of vessels arriving from infected ports, a vessel is provided for the reception of passengers.

When sickness occurs in a vessel under quarantine, medical assistance from the shore is provided at the public cost.

When a vessel arrives in a foul and sickly state, the health officer takes all necessary precautions and means for the cleansing and purification of the vessel.

Previous to bills of health being granted to a vessel, she is always inspected by the health officer.

The existing Quarantine Act is No. 92, of 1869, and was passed to repeal the former Acts of 1832, 1837, 1839, and to make more general provisions for preventing the communication of the disease called cholera spasmodica, and all other malignant and infectious diseases.

#### TOBAGO.

The Act in force is the 33 Vict. c. 11 (1870).

The diseases which render arrivals subject to quarantine are plague, cholera morbus, small-pox, and any

**Windward Islands.** other dangerous, infectious, or contagious distemper. The period is the same as that of St. Vincent.

There are special rules in favour of the landing of the mails.

Pratique is immediately granted after the cessation of disease in an infected place, information of which is generally certified through an official course.

There is no lazaret, floating or otherwise, at the port of Scarborough, but merely a quarantine station to the leeward of the island.

In the event of sickness occurring on board a vessel in quarantine, the health officer attends, and medical assistance is provided at the public cost. He would inspect a vessel in a foul or unwholesome condition, and order the necessary measures to be adopted. No record is kept of the sanitary state of vessels placed in quarantine.

When a clean bill of health is granted, the health officer makes an inspection of the crew and passengers.

#### ST. LUCIA.

The Quarantine Ordinance relating to quarantine is No. 4, of 1870; special regulations on the subject of small-pox were issued in January, 1846.

Quarantine is liable to be imposed on small-pox and cholera, and any infectious disease, but the period is usually left to the discretion of the health officer, and the rules on the subject are the same as those of St. Vincent.

Arrivals with clean bills are at once admitted to pratique.

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There is no lazaret.

**Windward  
Islands.**

Clean bills of health are issued to vessels leaving this port when required, without any inspection of the vessel or crew, but exception has been when either cholera or small-pox has prevailed in the island.



## CHAPTER VIII.

## INTERNATIONAL AGREEMENT—TREATIES—CONFERENCES.

**Treaties  
referring  
to Quarantine.**

ALTHOUGH Great Britain has not entered into any treaties with foreign states, which relate *exclusively* to quarantine, she has entered into many treaties which refer more or less to that question. They are as follows:—

5th Nov. 1815.—Treaty of Commerce (the Ionian Islands), Austria, &c. (foreign vessels of commerce in Ionian ports and Ionian vessels in foreign ports are in the same position as they were before the union. See treaties of Nov. 14th, 1863, and March 29th, 1864).

23rd July, 1862.—Treaty of Commerce with Belgium.

4th Oct. 1854.—Treaty of Commerce with Chili.

16th Feb. 1866.—Treaty of Commerce with Columbia.

13th Aug. 1841.—Agreement with Denmark.

26th Jan. 1826.—Treaty of Commerce with France.

27th Oct. 1856.—Treaty of Commerce with Honduras.

2nd May, 1817.—Constitutional Chart, Ionian Isles.

6th Aug. 1863.—Treaty of Commerce with Italy.

27th June, 1865.—Treaty of Commerce with Madagascar.

- 27th Oct. 1865.—Treaty of Commerce with Netherlands.  
11th Feb. 1860.—Treaty of Commerce with Nicaragua.  
3rd July, 1842.—Treaty of Commerce with Portugal.  
12th Jan. 1859.—Treaty of Commerce with Russia.  
24th Oct. 1862.—Treaty of Commerce with Salvador.  
13th Nov. 1840.—Treaty of Commerce with Texas.  
29th April, 1861.—Treaty of Commerce with Turkey.

In 1850, upon the invitation of the French Republican Government, it was agreed among the different states which had coast possessions in, or close to, the Mediterranean, that an International Conference on the subject of quarantine should be held in Paris. Delegates, medical and consular, attended from France, Great Britain, Austria, Russia, Sardinia, Tuscany, the Papal States, Naples, Turkey, Greece, Spain, and Portugal. The consular delegates were—M. David, Sir A. Perrier, MM. Lavison, Ebeling, Magnetto, Cecconi, Escalon, Falcon, Halphen, Vitalis, Segovia, and Silveira; and the medical delegates were—Drs. Melier, Sutherland, Menis, Rosenberger, Bo, Betti, Capello, Carbonaro, Bartoletti, Costi, Monlau, and Grande.

The omission from this inquiry of the United States, which could have afforded the most valuable information on some leading points, was much to be regretted. The first meeting was held on the 23rd of July, under the Presidency of M. David, a Minister Plenipotentiary of France: and the subsequent meetings, forty-two in number, took place during the next six months. The Conference finally closed on the 19th of January, 1852, receiving the thanks of the Prince President, then just elevated to a permanent supreme power.

Confer-  
ence of  
1850.

A Convention, based upon and embodying the results of their deliberations, was adopted by only a few of the represented powers, viz., by France and Sardinia, in the first instance, and at a later period by Portugal, Tuscany, and Turkey. Great Britain among others declined to follow the example.<sup>52</sup>

Confer-  
ence of  
1866.

Another International Sanitary Conference opened at Constantinople on the 13th of February, 1866, under the Presidency of His Excellency Salih Effendi, first delegate of Turkey, and continued its sittings for about seven months. Considerable discussion took place on the subject proposed by the two French delegates, of which the purport was to obviate, from that time forward, the danger of another importation of cholera into Europe, from Egypt. The danger of an epidemic of cholera on the shores of the Mediterranean, in the wake of Musulman pilgrims returning from Mecca, was also fully considered, and a restrictive policy recommended.

Confer-  
ence of  
1874.

In July, 1874, an International Sanitary Conference, assembled at Vienna, at the instance of the Austro-Hungarian Governments with the following objects: (1) to re-examine the state of our knowledge of cholera in reference to prophylaxy, with the view of establishing, if possible, a complete understanding between the Governments who had been convoked as to the national and international measures to be adopted to prevent the spread of that disease; and (2) to consider the question of instituting a permanent, or temporary, International Sanitary Commission, for the further investigation of epidemics and the means of combating them. It was

<sup>52</sup> This Convention will be found *in extenso* at p. 343; it was in force for five years, and was not renewed at the expiration of that time.

reserved for the Conference to enter or not, as it might see fit, on the subject of quarantine against other diseases than cholera.

Every European State was represented at this Conference. Persia and Egypt were also represented. The United States of America had been invited by the Austro-Hungarian Government, and had accepted the invitation, but no representatives attended. The States represented were twenty-two in number—Austria, Hungary, Belgium, Denmark, Egypt, France, Germany, Great Britain, Greece, Holland, Italy, Luxembourg, Norway, Persia, Portugal, Roumania, Russia, Servia, Spain, Sweden, Switzerland, Turkey, each sending as many delegates as it thought fit, but each disposing of one vote only. The delegates were, with few exceptions, of the medical profession, and no State was without a medical representative. Most of the delegates were persons holding office in the public service, sanitary or medical, of their respective countries.

The Conference was formally opened July 1, 1874, and formally closed August 1, 1874. During this time twenty sittings of the full Conference were held, independent of the meetings of the several committees, to which had been entrusted the preliminary consideration, and preparation for discussion, of some of the more important questions on which the Conference had to decide.

The Conference was not called upon to review specifically the several recommendations of quarantine of the Conference of Constantinople, but certain broad general questions had been formed with the view of eliciting the opinion of the delegates assembled at Vienna, as to the measures of restriction of cholera which were practicable and likely to be efficacious (*a*) by land, (*b*) by sea,

or (c) by river. Land quarantines on the continent of Europe, wherever a railway system had been established, were considered impracticable. With respect to maritime quarantine, it was agreed as follows:—

1. Local sanitary authorities to be appointed in every port for the execution of these rules; such authorities are to be kept always officially informed respecting cholera in other ports.

2. Immediate free pratique to all vessels arriving from non-infected ports, which, on the oath of the captain, had not during their voyage touched at any intermediate suspected port, nor communicated directly with any infected ship, and on board of which there had not been any suspected or confirmed case of cholera.

3. Medical inspection as soon as possible, after the arrival, of all ships coming from suspected or infected ports, as well as of ships, coming from non-suspected ports, but which had during the voyage touched at any suspected port or had direct communication with any infected ship, or on which there had been any suspicious case of cholera, sickness, or death.

4. Immediate free pratique to the ship and everything in it, when it appears from this inspection that there was no actual cholera, or suspected cholera on board; except when there *had been* any such cases during the voyage, under which circumstances the ship itself, the crew and passengers, their clothes, and goods, are to undergo disinfection before being admitted to pratique.

5. If on the inspection there were found any case on board of cholera or suspected cholera, or any corpse of a person suspected to have died of cholera, (1) immediate removal of the sick (if any) to hospital, and immediate burial of corpses (if any) either in the sea with

usual precautions, or on land after disinfection; (2) disinfection of the crew and passengers who were well, and of their clothes and goods; and, (3) disinfection of the ship itself. All who were well to have free pratique, with their clothes and goods, as soon as the disinfection had been accomplished.

6. Free pratique to all merchandise, except to rags and other objects of a susceptible kind which must first undergo a radical disinfection.

As to the duration of quarantine it was agreed as follows:—

1—4. In the case of ships coming from ports known to be infected, the duration of quarantine is fixed at from one to seven days, according to the circumstances, which period, however, may be extended to ten days in the Eastern States of Europe, or elsewhere under exceptional circumstances only. If the passage had lasted at least seven days, without there having been any suspicious case on board, the detention must be for one day only (twenty-four hours); in other cases it may be from three to seven days, according to circumstances. In these cases, if the hygienic conditions of the vessel permit, this quarantine of observation may be performed on board, and no unloading of the vessel is required. If, however, there have been during the passage, or are found on the arrival of the ship, any cases of cholera or suspected cholera, the persons who are well are to be immediately removed and isolated in a lazaret or other place provided for the purpose, and there detained for seven full days from the date of their isolation. The sick are to be disembarked and cared for in an isolated locality, which must be separate from that destined for the persons under observation. After these removals,

the ship itself, and all susceptible goods, are to be rigorously disinfected. The persons who had necessarily remained on board, are then to be the subjects of seven days' isolation and observation. In the case of ships coming from ports which are merely suspected, the duration of the quarantine of observation is not to exceed five days.

5. Ships loaded with emigrants or pilgrims, or which may be judged of especial danger to the public health, may be the subject of special precautions to be determined by the sanitary authority of the port of arrival.

6. Ships arriving at ports where there exist no efficient means of carrying out the above measures of quarantine are to receive all temporary succour that may be needed, but to be directed to the nearest port at which there is a proper establishment.

7. A ship starting from an infected port, but touching at an intermediate port, and there receiving free pratique, without having performed quarantine, is to be regarded as coming from an infected port.

8. In all cases of mere suspicion, measures of disinfection may be employed when the sanitary authority thinks fit, but are not to be obligatory.

9. In any port in which cholera is already epidemic, measures of quarantine are inapplicable, and measures of disinfection should alone be practised.

The Conference added the following resolution, applicable alike whether the system of medical inspection, or that of quarantine, be adopted, viz. :—The captain, medical officer, and other officers of ships, are bound to furnish the sanitary authority of the port of arrival, with every information as to any appearance, or suspected appearance, of disease among the crew and passengers.

In case of false declaration, or of wilful concealment, they are liable to the penalties imposed by the sanitary laws of the respective countries.

The Conference also decided that the modes of disinfection to be employed should be left to the competent authorities of each State.

And, at the suggestion of the delegates of Turkey, it expressed formally its desire that a penal law against sanitary offences might be promulgated in the Ottoman Empire.

With regard to river quarantine, it was agreed that the questions to be determined had already been completely discussed, for it was obvious that those ports of rivers to be placed in quarantine, whether situated exactly at their mouths or not, were really seaports.

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## CONVENTION <sup>53</sup>

MADE AT PARIS, FEB. 3RD, 1852, BETWEEN FRANCE,  
SARDINIA, PORTUGAL, TURKEY, AND TUSCANY.

I. The High Contracting Parties reserve to themselves the right to guard themselves on land frontiers against a foul or suspected country, and to place that country in quarantine. As to arrivals by sea, they agree in principle,—

*Conven-  
tion of  
1852.*

1. To apply to plague, yellow fever, and cholera the sanitary measures which are specified in the following articles.

<sup>53</sup> See *ante*, p. 338,



2. To consider as obligatory for all ships the production of a bill of health, saving always the exceptions mentioned in the sanitary international regulation annexed to this Convention. Every healthy port will have the right to protect itself against a vessel having on board a disease reputed contagious, such as typhus or malignant small-pox.

The respective sanitary authorities may, on their responsibility in the proper quarter, adopt precautions against other diseases.

Provided always—

1. That the exceptional measures mentioned in the two preceding paragraphs shall only be applied to infected ships, and shall not compromise in any case the country from whence they sail.
2. That never shall any sanitary measure go so far as to repel a ship, whatever the latter may be.

II. The application of quarantine measures shall be regulated hereafter according to the official declaration made by the sanitary authority instituted at the port of departure that the malady really exists.

The cessation of these measures shall be determined upon a similar declaration that the malady is extinct ; after, however, the expiration of a fixed delay of thirty days for the plague, twenty days for the yellow fever, and ten days for the cholera.

III. From the date of the execution of the present Convention, there shall not be more than two bills of health, viz., a foul bill and a clean bill ; the first for the assured presence of a malady, the second for the attested absence

of a malady. The bill shall verify the sanitary condition of the ship. A ship under a clean bill, of which the condition shall be evidently bad and suspected, may be assimilated by sanitary measures to a ship under a foul bill, and submitted to the same treatment.

IV. For the more easy application of quarantine measures, the High Contracting Parties agree to adopt the principle of a minimum and a maximum.

In that which concerns the plague, the minimum is fixed at ten complete days, and the maximum at fifteen complete days.

As soon as the Ottoman Government shall have completed, in the terms foreseen by the regulation annexed to the present Convention, the organization of its sanitary service, and that European doctors shall have been appointed, by the respective Governments, at all places where their presence has been adjudged necessary, ships coming from the East with clean bills shall be admitted to free pratique in all the ports of the High Contracting Parties. In the meanwhile it is agreed that the same arrivals coming with a clean bill shall be admitted to free pratique after eight days' voyage, when the ships shall have on board a doctor, and after ten days when they shall not have one.

The right is reserved to the countries nearest to the Ottoman Empire, while continuing their own quarantine system, to take, in certain cases, such measures as they may think indispensable to maintain the public health. With regard to the yellow fever, and when there shall not have been any casualty during the voyage, the minimum shall be five clear days, and the maximum seven clear days. This minimum may be decreased to three days, when the voyage shall have lasted more

than thirty days, and if the ship is in good sanitary condition. When casualties shall happen during the voyage, the minimum of quarantine to be imposed on ships shall be seven days, and the maximum fifteen days. Finally, for the cholera, arrivals from places where this malady shall be prevalent may be subjected to a quarantine of observation of five clear days, including the time of the voyage.

As to arrivals from neighbouring or intermediate places notoriously infected, they may be also subjected to a quarantine of observation of three days, including the duration of the voyage. Hygienic measures shall be obligatory in all cases and against all maladies.

V. For the application of sanitary measures, merchandise shall be divided into three classes: the first for merchandise, subject to an obligatory quarantine, and to purifications; the second, for those liable to be submitted to quarantine; the third, for merchandise exempt from all quarantine. The international sanitary regulations shall specify the objects and merchandise composing each class, and the system which shall be applicable to them, according as the plague, the yellow fever, or the cholera, shall be in question.

VI. Each of the High Contracting Parties engages itself to maintain or to furnish, for the reception of ships, passengers, merchandise, and other objects subject to quarantine, the amount of lazarets required by the exigencies of the public health for the convenience of travellers and for the requirements of commerce; everything according to the terms declared by the international sanitary regulations.

VII. To arrive, as far as possible, to a uniformity in the sanitary laws, and not to impose on the shipping of

their respective States more than the charges required to cover the necessary expenses, the High Contracting Parties, under the limitation of the exceptions foreseen by the international sanitary regulations, decree in principle—

1. That all the ships arriving in a port shall pay, without distinction of flag, certain dues for sanitary purposes, in proportion to their tonnage ;
2. That ships subject to quarantine shall pay besides daily dues for their berth ;
3. That the persons who stay in the lazarets shall pay fixed dues for each day's residence in these establishments ;
4. That merchandise placed and disinfected in the lazarets shall be subjected to a tax according to weight or value.

The dues and taxes mentioned in the present Article shall be fixed by each Government, and signified to the other Contracting Parties.

VIII. In order, likewise, to bring about the greatest uniformity in the organization of sanitary administrations, the High Contracting Parties agree to place officers of public health in those ports of their States which they reserve the right to mention, under the direction of a responsible agent, nominated and paid by the Government, and assisted by a council representing the local interests.

There shall be besides in every country a sanitary inspection, regulated by the respective Governments. In all the ports where the Contracting Powers maintain consuls, one or more of these consuls may be admitted

to the deliberations of the sanitary councils, to make their observations, furnish information, and give their advice upon sanitary questions.

Every time that there shall be proceedings for taking a special resolution with regard to a country, and to declare it in quarantine, the consular agent of that country shall be invited to attend the council, and he shall have the right to be heard.

IX. The application of the general principles adopted by the Articles which precede, and the aggregate of the administrative measures which flow from them, shall be determined by the sanitary international regulations annexed to the present Convention.

X. The power to accede to the present Convention and to its Annexe is expressly reserved to all the Powers who may consent to accept the obligations which they adopt.

XI. The present Convention and the International Sanitary Regulations annexed to it shall be in force and vigour for five years.

If, six months before the expiration of that term, none of the High Contracting Parties shall have, by an official declaration, announced his intention to withdraw from it, the Convention and rules shall remain in force during another year, and so on from year to year until repealed.

XII. It is understood that the High Contracting Parties reciprocally engage themselves to one another for all that concerns the aggregate as well as the details of the present Convention, of which the Protocol shall remain open for the signature of the respective Plenipotentiaries.

XIII. The present Convention and its Annexe shall be ratified according to the laws and usages of each of

the High Contracting Parties, and the ratifications shall be exchanged at Paris in the shortest possible time.

In faith of which, &c.

Made and concluded at Paris, 3rd Feb., 1852.

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## INTERNATIONAL SANITARY REGULATIONS.

IN conformity with the principles laid down in the preceding Convention relating to health, the High Contracting Parties have adopted the following general regulations to be observed in their ports in the Mediterranean and in the Black Sea, and to be the basis of the special rules of each country ; those rules, the text of which the respective Governments will communicate to one another, will be framed so as to establish the greatest uniformity possible in the health service, of the different countries.

**Inter-  
national  
Sanitary  
Regula-  
tions.**

### TIT. I.—GENERAL RULES.

I. In conformity with Art. I. of the Convention the precautionary measures which may be taken on a land frontier are :

Isolation.

The institution of a sanitary cordon.

The erection of lazarets, permanent or temporary, for the performance of quarantine.

II. The right given to every healthy port to protect itself against a doubtful or sickly vessel may be exercised to the extent of isolating the vessel and adopting such hygienic measures as circumstances may render necessary.

III. Whatever the number of sick on board, and whatever the nature of the disease, a vessel shall never be repelled, but shall be subjected to the precautions required by prudence, due regard being had to the rights of humanity and the interests of public health.

In the ports without a lazaret, the local health authorities shall determine whether the vessel which is suspected or sick, is to be sent to a neighbouring lazaret or to remain at an anchorage in a reserved and isolated spot, under the watch of the health authorities.

Such a vessel is only to be sent to another lazaret, after having received all the succour and care which its condition or that of its sick might require, and after having obtained the means to prosecute its voyage.

IV. The plague, yellow fever, and cholera, being, according to the Convention, the only diseases which require general measures and the putting in quarantine of arrivals from certain places, precautions taken in respect of other diseases, whatever they may be, shall only be applicable to those vessels which are suspected or sick.

#### TIT. II.—MEASURES TO BE TAKEN ON THE SAILING OF ANY VESSEL.

V. The measures to be taken on the sailing of any vessel shall comprise the noting, superintending and authenticating the state of health of the country; also, the verification and authentication of the hygienic condition of the vessels which sail from it, of their cargoes and provisions, of the health of their crews, particulars, when circumstances require it, of the health of the

passengers, and finally the bills of health and all that relates to them.

VI. The noting, superintending, authenticating and verifying shall be entrusted to the authorities hereinafter mentioned (Tit. VIII.).

VII. Every vessel shall before loading be inspected by an officer of the health authorities, and shall be subjected, if circumstances require it, to the hygienic measures deemed necessary.

VIII. Every part of the vessel shall be inspected, and its sanitary condition ascertained.

IX. Loading shall not commence till after such inspection and the carrying out of such preliminary measures of cleanliness and of health as the health authorities shall deem indispensable.

X. The authorities shall examine the state of the provisions and drinks, and particularly that of the drinking water, and the means of preserving it.

The authorities may also make inquiry as to the clothing of the crew, and, in general, as to everything relating to the preservation of health on board ship.

XI. Captains and masters shall furnish, in reference to the above, to the health authorities, all the information and all the explanations which shall be asked of them.

XII. If the health authorities deem it necessary and do not consider themselves sufficiently well-informed by the captain, a fresh inspection may take place after the vessel shall have been loaded, in order to satisfy themselves that all the prescribed sanitary and hygienic measures have been carried out.

XIII. The crew shall be examined by a doctor. The shipping of such of them as shall be affected with an



infectious (*transmissible*) disease may be forbidden by the health authorities.

XIV. The above inspections and examinations shall be made as soon as possible, so as to avoid all delay to vessels.

XV. With reference to vessels not carrying the flag of the country where they are at anchor, the inspection and the authentication prescribed by Articles IX. to XIV., inclusive, shall be made by the health authorities and the Consul, or Consular Agent of the country to which the vessel belongs.

XVI. The number of passengers to be taken on board sailing vessels or steamers, the amount of accommodation for them, and the quantity of ship's provisions, according to the probable length of the voyage, shall be determined by the particular rules of the countries which are signatories to the Convention of December 19th.

XVII. Vessels of war shall not be subject to the enactments contained in the preceding articles.

XVIII. Vessels for the carriage of passengers, whatever their tonnage, and all vessels of a certain tonnage, or the crews of which is composed of a certain number of men, shall be compelled to be provided with a chest containing the medicines the most necessary, and the surgical instruments the most likely to be of service for the treatment of those diseases and of those accidents which occur most frequently on board ship.

The principal health authorities of each country shall have drawn up a schedule of those medicines and surgical instruments, as also detailed directions for their use.

XIX. Bills of health shall for the future only be

delivered after the fulfilment of the formalities prescribed in the present regulations.

Measures  
to be taken  
on the sail-  
ing of any  
vessel.

XX. In ordinary times the following vessels may go unprovided with bills of health : viz., 1. fishing-boats ; 2. pilot-boats ; 3. revenue-cutters, and coast-guard ships ; 4. coasting-vessels, running between the different ports of the same country, and which will be governed by the local regulations.

XXI. No vessel shall have more than one bill of health.

XXII. Bills of health shall be delivered out in the name of the Territorial Government by the health authorities ; they may have the consular *visé*, and shall be credited in all the ports of the High Contracting Parties.

XXIII. In addition to the name of the vessel, of that of the captain or master, and the particulars relating to the tonnage, cargo, number of the crew, passengers, &c., the bill of health shall state exactly the sanitary condition of the place, as ascertained by the health authorities, and the sanitary state of the vessel.

If there should be any sick on board, mention shall be made of it.

The bill of health must in fact contain all particulars which will enlighten the health authorities of the port of destination, and enable them to form, as accurate as possible, an idea of the public health of the place of departure and its suburbs, of the condition of the vessel and its cargo, of the health of its crew and passengers.

Those places shall be deemed suburbs which are in constant communication with the port of departure, and which form part of the same sanitary district.

XXIV. The form of bill of health to be adopted by all the contracting nations shall be the one annexed to these regulations.

Measures  
to be taken  
on the sail-  
ing of any  
vessel.

XXV. When at the place of departure or its suburbs one of the three diseases considered capable of being imported or transmitted shall be prevalent, and its presence shall have been declared by the health authorities, the bill of health shall mention the date of such declaration.

The health authorities shall also mention the date of its cessation, when such shall have been ascertained to be the case.

XXVI. In conformity with the provisions of Article III. of the Convention, as the bill of health must always be either clean or foul, the health authorities shall always certify the existence or non-existence of the disease at the place of departure. Any doubt shall receive the most cautious interpretation, and the bill of health shall be deemed a foul one.

XXVII. Excepting the system of *Teskèrès*, so long as it shall be considered necessary in the Ottoman Empire, separate certificates of health from each passenger and each of the crew shall not be required.

Nevertheless, the health authorities may exact from those amongst the passengers whose health might be suspected and might become dangerous, the certificate of a known doctor, deputed for the purpose, and mention shall be made of it in the bill of health.

The health authorities may also forbid the embarkation of any passenger whose health might be dangerous to the rest.

XXVIII. The bill of health shall only be valid if it shall have been given within the forty-eight hours preceding the departure.

If the departure is delayed, the bill of health shall be *vised* by the officer who gave it, and such officer shall

certify whether the sanitary condition has remained the same or has undergone any change.

Sanitary  
measures  
on the  
high seas.

XXIX. The bill of health will be considered a clean one, notwithstanding that in the lazaret of the country there should be one or more instances of a disease considered capable of being transmitted and imported.

### TIT. III.—SANITARY MEASURES ON THE HIGH SEAS.

XXX. Every vessel on the high seas shall be kept well aired and cleansed.

With this object each of the Contracting Powers shall have drawn up, with the least possible delay, practical and sufficiently detailed directions prescribing the measures of cleanliness and ventilation to be carried out on the high seas.

XXXI. Captains and masters shall all be provided with these directions, and shall conform thereto, otherwise they may be considered on their arrival as having a foul bill of health, and be treated accordingly.

XXXII. Steamers, required to have bills of health, and for the carriage of passengers, shall carry a doctor. The special duty of such doctor shall be to take care of the health of the crew and passengers, to enforce the rules of health, and to give an account on arrival of the incidents of the voyage.

He will have besides to enter, precisely, and, as far as possible, daily, in a book *ad hoc*, any circumstances likely to be of use to the public health, and noting specially the diseases brought under his notice, and even common accidents as well as the treatment applied and its results.

Sanitary  
measures  
on the  
high seas.

The appointment of ship doctors shall be regulated by the respective Governments.

XXXIII. In the absence of a doctor particulars relating to health, shall be collected by the captain or master, and entered in the log.

An exact entry shall be recorded of all communications made at sea, in order to detail them on arrival.

XXXIV. Every captain or master who shall touch at any port, and have communication with the shore, shall have his bill of health *visé*d by the health authorities, and, in the absence of such, by the local police authorities.

XXXV. The health authorities of ports touched at are forbidden to keep back the bills of health given at the place of departure.

XXXVI. In case of a death at sea from a suspicious disease, the clothing and bedding used by the deceased in the course of the illness shall be burned, if the vessel is at anchor, and, if at sea, thrown into the water, with the necessary precautions to prevent their floating.

All other articles of the same nature which the deceased shall not have used, but which may have been within his reach, shall also be immediately aired or otherwise purified.

#### TIT. IV.—SANITARY MEASURES AT THE PORT OF ARRIVAL.

XXXVII. Every vessel on arrival shall be subjected to the formalities of a visit (*reconnaissance*) and of an inquiry as to her port of departure and destination (*arraisonnement*).

XXXVIII. When the sanitary condition is undoubtedly healthy, vessels from one port to another of the same country may, by virtue of the special health regu-

lations of each country, be exempted from the *arraisonnement*, viz., their ports of departure and destination being inquired into. Sanitary measures at the port of arrival.

XXXIX. Likewise in ordinary times, by a declaration to be exchanged between the contracting countries, all the vessels or only vessels from certain ports of the one country going to the ports of the other, may be exempted from any inquiry as to their ports of departure and destination.

XL. The visit (*reconnaissance*) and the inquiry (*arraisonnement*) as to the ports of departure and destination shall be made by the officer appointed for the purpose by the health authorities.

The results shall be entered in a register kept for the purpose.

XLI. As at the departure, doubtful cases and contradictory statements shall always be interpreted with the greatest suspicion. A vessel under such circumstances shall be detained.

XLII. *Pratique* shall not be given till after inspection of the vessel, if the health authorities should deem it necessary.

XLIII. All sick on board shall, if they request it, be landed as soon as possible, and receive such care as their cases may require.

XLIV. If a vessel, although provided with a clean bill of health, and not having had during its voyage, any case of sickness, should on account of its cargo, or on account of its crowded or infectious state, present such a condition as the health officer might consider likely to be dangerous to the public health, such vessel may be detained until the matter shall have been inquired into by the health authorities.

Sanitary  
measures  
at the port  
of arrival.

The decision shall be given within twenty-four hours.

XLV. According to the sanitary condition of a vessel, the health authorities shall, in their discretion, direct, as measures of health, the following, viz.:—

That the crew bathe or make use of similar physical remedies.

That the cargo on board be removed.

That spoiled or damaged victuals and drinks, as also cargo of an organic nature, which may be fermented or putrid, be destroyed by burning, or be cast out at sea.

That the linen and clothing of the crew be washed.

That the hold be cleansed, all the water let out, and the closets disinfected.

That the whole vessel be aired, and that the lower portions of it be ventilated by means of the air-pump, or in any other way.

That the vessel be fumigated with chlorine, scraped, scrubbed, and washed.

That the vessel be sent to the lazaret.

Whenever any of the above measures shall be considered necessary, they shall be carried out by isolating the vessel as completely as possible, and according to the nature of the shore and locality, but always before admitting the vessel to pratique.

Excepting the formalities of visit (*reconnaissance*) and of an inquiry as to their ports of departure and destination (*arraisonnement*), vessels in transit belonging to the High Contracting Parties shall be exempt, in intermediate ports, from the formalities prescribed for the sailing and arrival.

XLVI. Excepting the temporary provisions contained in par. 4 and 5, of Art. IV. of the Convention concerning Turkey in Europe, and Turkey in Asia, as also Egypt,

every vessel provided with a clean bill of health, which shall not have had whilst at sea any casualty or any communication of a suspicious nature, and which shall present itself in a satisfactory hygienic condition, shall immediately be admitted to pratique. **Quarantine.**

#### TIT. V.—QUARANTINE.

XLVII. Every vessel with a sick bill of health shall be put in quarantine.

Every vessel may be put in quarantine that arrives under the conditions specified in Art. III. of the Convention, which are equivalent to a foul bill of health.

XLVIII. No vessel shall be put in quarantine without a cause being assigned. The same shall be immediately communicated to the captain or master of the vessel.

XLIX. Excepting where the plague, yellow fever, or cholera exists on board, a vessel shall always be allowed to put to sea again, either before being put in quarantine or whilst undergoing quarantine.

The bill of health shall be returned to the vessel if it has not reached its port of destination, and the health authorities shall state in the bill of health the length and incidents of its stay, as well as the state in which it continues its course.

A vessel may put to sea again notwithstanding the existence on board of ordinary diseases. Nevertheless the health authorities shall satisfy themselves beforehand if the sick can be properly cared for during the rest of the voyage; those who might wish to remain in the lazaret shall have the right to do so.

L. The duration of the quarantine which may be



**Quarantine.**

imposed shall be the same for the vessel, the passengers, and the cargo.

Quarantine is of two kinds, viz., of observation, and strict.

LI. Quarantine of observation shall commence, for vessels and all they carry from the time of a health officer boarding them, and from the time of measures being taken for airing and purifying them.

Strict quarantine shall commence for the vessel, and the persons, and goods on board, from the time that the cargo to be landed, shall have been so ; for the cargo landed in the lazaret, or in any spot set apart for the purpose, from the time of a purifying process being resorted to ; for the persons disembarked, from the time of their entrance into the lazaret.

A quarantine commenced on board ship may always be continued in the lazaret.

LII. The quarantine of observation shall be limited to observing during a fixed period, the vessel, the crew, and the passengers, and will not entail the discharge of the cargo in the lazaret.

By the men on board, the quarantine shall be performed either on board ship or in the lazaret, at their option.

During the quarantine the vessel kept apart and watched by a sufficient number of health officers shall as a measure of hygiene be properly aired and washed and kept clean.

LIII. Strict quarantine will entail, besides the measures prescribed on a quarantine of observation, such special measures of purification and disinfection as the health authorities may think necessary.

It will entail, moreover, in the cases specified in the

present regulation, the discharge, in the lazaret, of all cargo of the 1st class, and, according to circumstances and local regulations, the discharge of cargo of the 2nd class (Art. LXIII. and LXIV.).

Quarantine.

LIV. In order to clear a strict quarantine for the plague it must be performed in a lazaret. A quarantine imposed upon a vessel on account of want of cleanliness, by virtue of Art. III. of the sanitary Convention, may be performed in an isolated part of any harbour.

LV. Quarantine may be performed at an intermediate port—between the point of departure and that of destination—and on proof being given of such a quarantine the vessel shall be admitted to pratique.

LVI. The duration of a voyage shall be computed, for all vessels, from the hour of starting according to the log book attested by the declaration of the captain or master.

LVII. Every vessel on board of which there shall have been during the voyage a case of one of the three diseases deemed capable of being imported and transmitted shall, as of course, and whatever its bill of health, be considered as having a foul bill of health.

LVIII. If there shall have been during the voyage or during the quarantine one or more cases of cholera, the quarantine shall be computed from the time of arrival and the execution of sanitary measures ; the time occupied on the voyage shall not be taken into account.

LIX. Saving the temporary exceptions mentioned above (Art. XLVI.), the cargo of every description on board a vessel with a clean bill of health, which vessel shall be in good condition and well kept, and which shall not have had on board either any death or any suspicious disease, shall be exempt from all sanitary measures, and

**Quarantine.**

together with the vessel, the crew, and the passengers be at once admitted to pratique.

LX. Leather, hair, waste paper, and rags of all kinds are excepted. Cargo of the sort may, even when accompanied by a clean bill of health, be subjected to sanitary measures. The health authorities shall determine the nature and length of those measures.

LXI. Cargo and things spoilt, or rotten, are equally excepted.

In conformity with par. 4 of Art. XLV., the health authorities may have them thrown into the sea or burnt.

The formalities to be observed under such circumstances shall be determined by the local regulations.

LXII. In conformity with Art. V. of the Convention, and in order to carry out sanitary measures, cargo will for the future be divided into three classes.

The following shall belong to the 1st class and be subjected to an obligatory quarantine and to purifying processes, viz., old clothes and articles in common use, rags and waste paper, leather and skins, feathers, hair, and in general any parts of animals, and lastly wool and silk stuffs.

The following shall belong to the 2nd class and be liable to perform quarantine, viz., cotton, flax and hemp.

All articles not falling within the two first classes shall belong to the third class and as such be exempt from quarantine.

LXIII. With a foul bill of health marked with the plague, cargo of the 1st class shall always be discharged at the lazaret, and purified cargo of the 2nd class may be either immediately admitted to pratique or discharged at

the lazaret, in order to be purified according to circumstances and according to the special sanitary regulations of each of the contracting countries. **Quarantine.**

Cargo of the 3rd class being declared free may be delivered immediately to its consignees under the supervision of the health authorities.

LXIV. With a foul bill of health marked with yellow fever, without any casualty during the voyage, if the voyage has lasted more than ten days, cargo shall, as a measure of health, be simply aired without being unloaded.

If there has been any casualty, or if the voyage has lasted less than ten days, the cargo may be treated in the same way as where the foul bill of health is marked with the plague, that is to say, it may be discharged at the lazaret and purified; but this measure shall be at the discretion of the health authorities.

LXV. With a foul bill of health marked with cholera, cargo shall not be subjected to any special sanitary measure; the vessel shall be only aired and the measures of hygiene always obligatory shall be carried out.

LXVI. In all cases of foul bills of health, letters, and papers shall be purified in the customary manner.

LXVII. All cargo and any article whatsoever coming from a healthy place, which shall be enclosed in a wrapper officially sealed and which is of a substance not subjected to a purifying process, shall be immediately admitted to pratique whatever the nature of the vessel's bill of health.

If the wrapper is of a substance in reference to which the application of sanitary measures is discretionary, the admission to pratique shall also be discretionary.

LXVIII. Live animals shall be liable to the quaran-

**Quarantine.**

tines and purifying processes customary in the respective countries.

LXIX. Every vessel without a bill of health, when it should have one having regard to its place of departure, may, according to circumstances, be made to perform either a quarantine of observation or a strict quarantine.

The duration of such a quarantine shall be fixed by the health authorities.

It shall not exceed three days, if the vessel comes from a place well known to be healthy, and if the vessel be in good hygienic conditions.

Due allowance shall be made by the health authorities for cases of *vis major*, such as the fortuitous loss of a bill of health.

LXX. Every bill of health with an erasure or interlineation shall be considered as void, and will subject the vessel to the provisions mentioned in the preceding Article, without prejudice to such legal proceedings as may be instituted against the authors of the alterations.

LXXI. If in the course of a quarantine, and whatever part of it may have been performed, a case of plague, yellow fever, or cholera shall appear, the quarantine shall commence afresh.

LXXII. Besides the quarantines mentioned, and the measures specified by the Convention of December 19, as also by these regulations, the health authorities of each country shall be empowered, in cases of imminent danger, and not provided for, to prescribe under their responsibility to the proper person such measures as they may think necessary for the preservation of the public health.

In the absence of special buildings for the purpose, ships may be used as lazarets, and isolated, and guarded, so as to prevent all extraneous communication.

TIT. VI.—LAZARETS.

SECT. I.—THE ERECTION AND ARRANGEMENT OF  
LAZARETS.

LXXIII. The interior arrangement of lazarets shall be such that the persons and things in quarantine from different dates may be easily kept apart.

Erection  
and  
arrange-  
ment of  
lazarets.

LXXIV. There shall be spacious and convenient reception rooms to enable persons from without to visit those in quarantine without prejudice to the precautions necessary to protect the public health.

Gratings shall be abolished, as also everything which might have a prejudicial influence on the moral well-being of those in quarantine.

LXXV. Whole buildings or wings thereof shall be set apart in the lazaret for the sick. They shall be so arranged as to enable the sick to be separated, and to insure at the same time the best hygienic conditions, and particularly ventilation.

LXXVI. It is forbidden to have direct and immediate communication with persons or things suspected or reputed so, that are in quarantine.

Besides the penalties imposed by the laws and regulations, whosoever shall have been in contact with such persons or things shall be declared in quarantine, and considered as coming from the same place, saving always such cases as the health authorities shall in their discretion except.

LXXVII. Every lazaret must be supplied with good water of a quantity sufficient for the wants of the place.

LXXVIII. There shall be in every lazaret or in its grounds a suitable burial place.

SECT. II.—THE STAFF, SUPERVISION, AND INTERIOR  
MANAGEMENT OF LAZARETS.

**The staff,  
super-  
vision, and  
interior  
manage-  
ment of  
lazarets.**

LXXIX. Harbours and reserved places set aside for the quarantine of vessels, lazarets intended for travellers and cargo, and generally all quarantine establishments shall be under the immediate supervision of the health authorities.

LXXX. There shall be in every lazaret a director or responsible agent, a sufficient number of officials to insure sanitary discipline, and health officers to execute or see executed the prescribed measures.

LXXXI. A doctor shall be attached to the lazaret to visit and look after those in quarantine, and to assist by his advice in the careful execution of sanitary measures.

LXXXII. The sick in lazarets shall have the same religious and medical comforts and ministration as are given to ordinary sick people in the best managed hospitals, excepting that the persons employed in performing the same shall be in quarantine.

LXXXIII. Every sick person may be attended by a doctor of his or her own choice, other than the doctor of the lazaret ; but, in such a case, the visit of such private doctor shall take place in the presence of the director of the establishment.

Such doctor shall, on the occasion of every visit, make a report in writing at the health office of the progress of the disease.

The administration shall nevertheless, from time to time, send its own doctor to visit the sick person, in order to ascertain the nature of the disease.

LXXXIV. Those persons whom the health authori-

ties ascertain to be poor, shall not only be admitted, but also boarded and attended gratuitously.

LXXXV. Every lazaret shall have a tariff fixed by the authorities, and revised every three months, in which the price of food shall be stated on the most moderate scale.

LXXXVI. Furniture and all the most necessary articles of wearing apparel shall be provided to those in quarantine free of charge by the administration immediately after their admission into the lazaret.

LXXXVII. The doctor's visits shall be free of charge. Those in quarantine shall only pay for the services of those not attached to the lazaret.

LXXXVIII. Besides the above general regulations, it shall be the duty of the health authorities, without imperilling the public health, to take, by special regulations and according to the different places, all proper steps to insure as far as possible the comfort of those in quarantine.

### SECT. III.—CARGO, WEARING APPAREL, DISPATCHES, AND POST OFFICE LETTERS IN LAZARETS.

LXXXIX. Cargoes shall be warehoused in spacious and thoroughly dry warehouses ; shall be subjected to free ventilation, and their position altered from time to time.

Bales and cases shall be opened in order that the air may be let in. Such airing shall be kept up during the entire quarantine.

XC. Cargoes belonging to different quarantines shall be separated the one from the other, and, as far as possible, kept in different warehouses.

The staff,  
super-  
vision, and  
interior  
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lazarets.



Cargo,  
wearing  
apparel,  
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and post  
office let-  
ters in  
lazarets.

XCI. Leather, skins, hair, rags, and waste paper, the remains of animals, wools, and silk stuffs, shall be warehoused in places distant from the rooms occupied by those in quarantine, as also from the quarters of the officials.

In cases of notorious infection, want of cleanliness, or deterioration, articles and cargoes in general may be subjected to such purifying processes as the health authorities shall deem necessary.

XCII. Animal and vegetable matters in a state of putrefaction shall never be admitted into a lazaret; but shall be burnt or thrown into the sea in conformity with the provisions of Art. LXI. of these regulations.

XCIII. There shall be in every lazaret warehouses for the reception of cargoes which have been purified.

XCIV. Passengers' luggage shall be, during the quarantine, ventilated in rooms set apart for the purpose, under official supervision.

The health authorities shall see that this process is never omitted.

XCV. Wearing apparel, linen, and everything which may have been used by the dead, or those stricken with the plague, shall be subjected to the most thorough processes of purification, to fumigation of chlorine, to sea-water immersions, to the action of heat, according to circumstances and the nature of the articles. This shall be done in all cases of contagious diseases.

XCVI. Letters and dispatches shall be purified so that the writing may not be impaired.

XCVII. That process shall take place in the presence of the director of the lazaret.

XCVIII. The right is reserved to the consuls or representatives of foreign powers to be present at the

opening and purifying process of letters and dispatches addressed to them or to their countrymen.

The same right is reserved to the Post Office.

#### TIT. VII.—SANITARY DUES.

XCIX. The following shall be exempt from the payment of the sanitary dues prescribed by Art. VII. of the Convention, viz.: 1. Ships of war; 2. Vessels obliged to put into harbour, even when they are admitted to pratique, provided they transact no business in the harbour at which they touch; 3. Fishing boats; 4. Vessels exempt from the obligation of having a bill of health; 5. Children under seven years of age, and the necessitous shipped at the expense of the Government of their country, or by their consul in his official character.

C. Every sanitary due not mentioned in the Convention is formally abolished.

#### TIT. VIII.—HEALTH AUTHORITIES.

CI. Excepting the special provisions relative to sanitary organization in the East (Art. IX.), and in conformity with Art. VIII. of the Convention, which places the health authorities under the immediate direction of the Government, those authorities shall be established everywhere on a uniform system, and shall comprise, firstly, a responsible Government agent; secondly, a local council.

CII. The agent shall represent particularly the Central Power. He shall be selected, as far as possible,

from the medical body, and he shall be called the Director of Health.

CIII. The director or agent shall be the head of the executive department, and shall be responsible for it. All the officials shall be under his orders. He shall see to the execution of the sanitary laws and regulations; he shall examine, or cause to be examined, the sanitary condition of the vessels arriving; he shall give bills of health to those departing; he shall have the direction and supervision of the lazarets and quarantine harbours.

CIV. The council shall represent more particularly local interests, and shall be composed of the various administrative and scientific elements the best able in each country to watch over efficiently the public health.

CV. The director or agent shall be *ex officio* a member of the council.

CVI. The council shall exercise a general supervision over the sanitary administration. Its special duty shall be to afford information to the director or agent, and to give him advice as to the measures to be taken in case of the introduction, or threatened introduction, of a disease deemed capable of being imported or transmitted; to superintend the execution of general or special regulations relating to sanitary police, and in case of necessity to inform the Government of any breach of the law. The council shall be consulted upon all administrative and medical questions, and shall assist the director or agent in preparing the local or interior regulations.

CVII. The council shall meet periodically at the times appointed by the superior authority, and an extraordinary meeting of it shall be called every time that

some circumstance relating to public health shall seem to require it.

CVIII. The director or agent and the council shall make it their duty to be constantly informed as to the state of the public health. With this object, they shall have frequent communications—either directly or through delegates—with the Communal administration, whence they shall receive all the communications necessary for the fulfilment of their duty.

CIX. In cases of difference of opinion between the director or agent and the council, the central Government shall be immediately referred to ; nevertheless, in a case of urgency, the director or agent shall, on his own responsibility, make such temporary arrangements as the state of the public health or service may require.

CX. There shall be in each country, signatory to the Convention, a number of health inspectors. The duty of these—to be regulated by the respective Governments—shall be to visit the various ports of the country, to inquire into the progress of the health service, to take note of the shortcomings found therein, and to report the same to the Government.

CXI. In the interest of the public health, and for the good of the service, the health authorities of the respective countries, signatories to the Convention of December 19th, are empowered to communicate directly with one another in order that they may be kept mutually informed of all important facts come to their knowledge ; but this shall be in addition to the particulars which they are bound to furnish, at the same time, to the proper authorities and to the consuls.

## TIT. IX.—SPECIAL PROVISIONS AS TO THE EAST.

CXII. In addition to the sanitary provisions common and applicable to all the countries, signatories to the conference, Turkey in Europe, Turkey in Asia, and Egypt shall be subjected to special provisions in order to arrest the spread of the plague, to stop that disease when it exists, to report it, and to prevent its introduction into other countries.

CXIII. These provisions—made in the twofold interest both of the East and of the nations having intercourse with it—shall consist in the extension of the sanitary institutions established by His Highness the Sultan, and the appointment of doctors in the East by the contracting countries.

## SECT. I.—PROVISIONS RELATIVE TO TURKEY.

CXIV. His Highness the Sultan shall promulgate a special law to insure the existence and to define the powers of the health authorities of his empire, and particularly of the superior Council of Health at Constantinople, which shall continue as at present organized.

CXV. The superior Council at Constantinople—the head of the health service—shall superintend the whole service, and direct for the whole empire the necessary measures of public hygiene and health. It shall draw up the directions relating to such measures, and see to their proper execution in conformity with the recommendations of the International Health Conference (minutes 29 and annexes), and shall fix the localities where the different health officers shall reside.

CXVI. The Powers interested shall be represented

on the council by a number of delegates equal to that of the Ottoman functionaries, and such delegates shall have a voice in the deliberations.

CXVII. The council shall have the right of appointing and dismissing the sanitary employes of every rank.

CXVIII. The foreign delegates on the council—to be selected as much as possible from professional men—shall be appointed by their respective Governments.

CXIX. The existing doctors and inspectors charged with the superintendence of the progress of the sanitary service shall be continued. In addition to those who are in Syria and in the pachalics of Erzeroum and Bagdad, two more shall be appointed: one for European Turkey and one for Asia Minor. Their usual abode shall be Constantinople.

CXX. The existing health offices and collectors' stations shall continue as they are. Their number, distribution, circumscription, and government, shall be settled by the superior Council of Health at Constantinople.

CXXI. The reception of arrivals with a foul bill of health marked with plague is limited to the central offices provided with lazarets.

CXXII. The power to admit to pratique arrivals with a clean bill of health shall be continued at the collectors' stations so long as the plague does not exist. This power shall cease when the plague is prevalent. Nevertheless those stations shall have at all times the power to admit coasting vessels.

CXXIII. As soon as possible a code of offences and punishments in reference to sanitary matters shall be promulgated in Turkey by the Ottoman Government.

A special tribunal, to be instituted by arrangement between the High Contracting Parties, shall for the future take cognizance of, and adjudicate upon, all breaches of sanitary laws and regulations, subject nevertheless to the reservation contained in the capitulations, and without these being in any way prejudiced.

SECT. II.—PROVISIONS RELATIVE TO EGYPT.

CXXIV. The sanitary administration of Alexandria, constituted and established in the same way as the superior council at Constantinople, shall have similar rights and prerogatives. In the like manner, it shall watch over the public health of the country, and superintend the execution of the necessary measures, both in the interior and on the coast.

CXXV. Health inspectors and doctors (*médecins de Bureaux*) shall be appointed and paid by the Egyptian Government wherever they shall be considered necessary. They must both hold diplomas from European Universities.

SECT. III.—PROVISIONS RELATIVE TO THE EAST  
GENERALLY.

CXXVI. Bills of health shall be given by the health office and be *visé* by the proper consuls.

CXXVII. In conformity with Art. XXI. of the present regulations no vessel shall be allowed to have more than one bill of health.

CXXVIII. The number of European doctors now appointed as medical officers in the East shall be increased up to twenty-six, and distributed into four districts.

The Powers, signatories to the Convention, shall finally arrange with the Government of the Sublime Porte the details for carrying out in common this measure.

CXXIX. The doctors appointed medical officers shall be classed as central doctors and ordinary doctors. The ordinary doctors shall be distributed according to the plan annexed to these regulations.

CXXX. There shall be a central doctor in each of the cities of Constantinople, Smyrna, Beyrout and Alexandria.

CXXXI. Without having any supremacy over his colleagues, the central doctor shall have—besides his duties as medical officer—to unite and arrange in a general report, the several reports of his district. That report shall be sent once a month in Turkey and twice a month in Egypt to the local consular body and to the Council of Health.

CXXXII. In case of absence on leave the central doctors shall be selected according to seniority from among the ordinary doctors of the same district.

CXXXIII. The European doctors appointed medical officers in the East shall be entirely independent of the local authorities, and shall only be responsible to the Governments by which they have been appointed.

CXXXIV. The duties of the medical officers shall be as follows :—

1. To study in relation to the public health, the country where they are, its climate, its diseases, and all its characteristics, as also the measures taken to combat with those diseases.
2. With this object to make tours of inspection of their respective districts as often as they may



think it advisable ; in Egypt as often as possible.

3. To communicate everything relating to the public health to the central doctor of the district, the consular body, and, if needs be, to the local authorities of the country twice a week in Turkey and every week in Egypt. In case of an epidemic or any other suspicious disease, as also in all extraordinary cases, the medical officer shall send without delay a special report to all the above-mentioned authorities, and to all the medical officers and consuls of the neighbouring districts, and, if necessary, to some doctors and consuls more distant to whom such information might be useful.

They will furthermore have to follow in matters of detail, the directions annexed to the present regulations.

CXXXV. Where a contagious disease is suspected the medical officers shall immediately acquaint the health officer and *vice versa*, and thereupon a medical consultation shall be held, the result of which shall be forthwith communicated to the above-mentioned authorities.

CXXXVI. At the same time, the health offices, stations, deputations, committees, &c., shall be bound to furnish the doctors with correct written particulars of everything relating to the public health, and they shall admit the doctors into the offices of the health administration every time that the latter shall see fit to go there to obtain information or verbal explanation.

TIT. X.—PROVISIONS RELATIVE TO AMERICA.

CXXXVII. In the countries liable to yellow fever belonging to the Powers, signatories to the Convention, and where there is not already a regular medical service, the respective Governments shall appoint medical officers to study that disease, its source and propagation, to seek the means to prevent it, and to combat it, to notify its presence to the authorities, and verify its cessation ; to fulfil, in a word, officially, with respect to the yellow fever, the duties performed in reference to the plague by the medical officers in the East.

TEMPORARY ARTICLE.

When the medical service of the East, as specified, shall have been regulated and distributed between the Contracting Powers, each of the Powers shall make appointments to the stations which shall be assigned to it, and of which it will take charge.

Nevertheless the medical officers at present appointed by France, shall continue to occupy the stations they now are at, and shall only be replaced by doctors of other nations on a vacancy occurring. France also reserves the right to make such changes among the existing doctors as she may think expedient.

The sanitary provisions in the countries of the High Contracting Parties, which are not at variance with the Convention of December 19th, 1851, and the present regulations, shall continue in force.

Signed at Paris on the day, and in the year, above written.

The Minister of Foreign Affairs for France,

(L.S.) MARQUIS ZURGOT.

Plenipotentiaries for Sardinia,

(L.S.) G. MAGNETTO.

(L.S.) D. R. ANGELO BO.

The Minister for Foreign Affairs, of His Majesty  
the Emperor of the French,

(L.S.) DROUYN DE LHUYS.

Plenipotentiary for Portugal,

(L.S.) JEAN MOUZINHO DE SILVEIRA.

The Ambassador for the Sublime Porte,

(L.S.) VELY.

The Minister Plenipotentiary for Tuscany,

(L.S.) PONIATOWSKI.

## CHAPTER IX.

The Laws and Regulations of Foreign States relating to Quarantine.

AUSTRIA.	PORTUGAL.
BALTIC STATES.	PERU.
SWEDEN.	ROUMANIA.
NORWAY.	RUSSIA.
RUSSIA.	BLACK SEA.
DENMARK.	SAMOAN OR NAVIGATOR'S
BELGIUM.	ISLES.
BRAZIL.	SPAIN.
CHILI.	TURKEY.
EASTERN ARCHIPELAGO.	EGYPT.
FRANCE.	RHODES.
ALGERIA.	TRIPOLI.
TAHITI.	TUNIS.
.GERMANY.	UNITED STATES.
GREECE.	NEW YORK.
IONIAN ISLANDS.	BOSTON.
HOLLAND.	PHILADELPHIA.
BATAVIA.	BALTIMORE.
CURAÇOA.	RICHMOND.
SURINAM.	SAVANNAH.
ITALY.	CHARLESTOWN.
MEXICO.	MOBILE.
CENTRAL AMERICAN RE-	NEW ORLEANS.
PUBLICS.	URAGUAY.

## AUSTRIA.

By a General Ordinance of Maritime Sanitary Administration, December 13th, 1851, it is provided with respect to the plague and yellow fever as follows :—

**Austria.**

159. If ships or persons come from suspected places, every action is to be regarded as an offence, which by its natural and easily recognizable consequence, or in view of the provisions contained in this Ordinance or otherwise made public, could introduce or spread the evil which it is intended to avert, whether such action consist in commission or omission, and whether it be due to intention or to neglect.

160. Besides the actions and omissions specified in the "Patent" (Ordinance) of the 21st May, 1805, in so far as they offend against the provisions of the 2nd, 4th, and 5th sections of this Ordinance, the following are to be regarded as such offences, viz., the forgery of a bill of health; the concealment of suspicious communication previous to the time of lading or of other suspicious circumstances; resistance to the sanitary authorities; or their measures; or, affronts to the authorities themselves.

161. The punishment, of these offences, must be carried out according to the Patent of May 21st, 1805; with regard to any mitigation to be granted, the Imperial Decree of May 8th, 1850, must be followed.

The jurisdiction in this matter belongs to those Courts which, according to the laws in force in each province,<sup>54</sup> are competent to deal with the offences against the rules for the prevention of the plague specified by the said "Patent" (Ordinance), and the procedure must be in accordance with the existing orders of these Courts.

162. Every other transgression of these rules, laid

<sup>54</sup> Literally "Crown Land." I believe the word is used to describe the various component parts of Austria, *i.e.* Austria Proper, Croatia, Tyrol, Styria, Carinthia, united as they are only by the fact that they are so many possessions of a single prince.

down in this Ordinance, is to be regarded as an offence **Austria.** against the Maritime Administration, and to be punished by a fine of five florins;<sup>55</sup> and if such a fine would too greatly impair the circumstances, or the means of livelihood, of the offender or his family, the fine shall be commuted to imprisonment of one day for every five florins.

163. Special examples of such offences against the Maritime Administration, are :—

- (a.) Every attempt to escape the legal inspection of the sanitary authorities, to which every ship, and every person, or thing, coming from the sea, must be submitted ; or every act, by which a person, &c., comes into contact with the outside world before the completion of such inspection.
- (b.) The secret landing, if actually accomplished, of a ship coming from an unsuspected quarter at a point where it is allowable to land.
- (c.) The secret landing of such a ship, whether accomplished or only attempted, at a point where it is not allowable to land.
- (d.) Any irregularity with regard to the bill of health, if due to the fault of the party in question.
- (e.) The misuse of the bill of health by unsuspected ships (in so far as no intentional deception is apparent).
- (f.) The concealment of communication had at sea with ships, persons, or things ; or, of the ports touched on the way ; the concealment from the sanitary authorities of any object washed on shore, in so far as such ships, persons, things,

<sup>55</sup> Ten florins equal £1 sterling.

**Austria.**

and ports, as well as the objects so washed on shore, are not of a suspicious nature.

- (g.) The unauthorized communication of persons, of an unsuspected vessel, which though announced to the sanitary authorities, has not yet received a free pratique, with the people of coast.
- (h.) The deliberate contamination of a person not in quarantine, by a person who is in quarantine, even where there is no intention to break the law of quarantine; and even if the offender hinders the escape of the contaminated person from quarantine, and immediately makes an announcement of what has occurred to the sanitary authority.

164. Jurisdiction in respect to such offences, belongs to the authorities thereto appointed by the Imperial Decree of May 15th, 1851. On appeal, the case comes before the Central Court of Admiralty. There is no judicial appeal against such decision, but an appeal for mercy may be made to the decision of the Ministry.

The above judicial appeal must be notified, within three days, to the authority from whose decision the appeal is made, and handed in within eight days. The authority in question must, on its part, immediately submit the appeal, with the necessary explanations, to the Court of Appeal. While the appeal is pending, the punishment shall be suspended.

165. The sanitary authorities have the right, in case of necessity, of demanding security for the fine inflicted in the shape of deposit, pledge, or security. If necessary the ship, with which the offence against sanitary

discipline has been committed or attempted, may be **Austria.** detained until the punishment has been carried out. A confiscation of the vessel is, however, not to take place even after repeated offences committed with it; but such repeated offences may, when the captain of the ship is an Austrian subject, lead to his suspension, or even to the confiscation of his license.

167. The unauthorized landing of persons or things in imminent danger, shipwreck, running on shore, &c., shall not be punishable if all intercourse of the people of the coast has been avoided until the arrival of the servants of the sanitary authorities. So, too, the unauthorized communication of persons, not in quarantine, with persons in quarantine, shall not be punishable if it is due to the good intention of lending speedy aid, or has taken place from imperious necessity in imminent immediate danger, and if the persons who have so come into contact with one another of their own accord, abstain from all further communication with persons not in quarantine, and immediately announce what has happened to the sanitary authorities, with a view to their taking the necessary measures of precaution.

168. All fines are to be devoted to the Sailors' Institute of the respective province.

On February 1st, 1879, for the prevention of the introduction of contagious diseases from Russia, it was ordered by the Ministers of the Interior, of Finance, and of Commerce, in conjunction with the Royal Hungarian Government, that :—

1. The importation and transit of the following articles from Russia, over the frontiers of the Austro-Hungarian Monarchy, is prohibited :—Worn body linen



**Austria.** and bed linen, worn clothes, rags of all kinds, waste paper, peltry, furs, skins, hides, half-dressed and soft-dressed goat's and sheep's leather, bladders, intestines (either fresh or dried), salted intestines (catgut), felt, hair (including the so-called Zackelwolle), bristles, feathers, caviare, fish, and sarepta balsam.

2. The prohibition contained in paragraph 1 does not apply to linen, clothes, and other luggage which travellers carry with them for their use. In what circumstance and in what manner, such articles are to be submitted to disinfection, remains the subject of especial dispositions.

3. The importation and transit of wool from Russia, is only permitted after previous disinfection; in the case of wool which has undergone factory washing, the disinfection of the package will suffice.

The disinfection of wool, which has not undergone factory washing, will take place in closed rooms by means of sulphurous acid.

4. The prohibition of import, and transit, of bed-feathers, remitted by order of the Ministers of the Interior, of Finance, and of Commerce, of June 7th, 1878, is so far altered, that the importation and transit of bed-feathers from the German Empire is again permitted.

5. The costs of disinfection are to be borne by the parties.

A Circular, No. 974, of the 3rd February, 1879, of the Maritime Government, concerning the ports of Austro-Hungary, is to the above effect, with the omission of Art. 4, and with the addition of the following:—

The goods mentioned above (section 1) shall for the present, in conformity with section 97 of the Maritime Sanitary Regulations, be removed to the maritime quar-

antine ground, and be there, in closed rooms, isolated **Austria.** from other goods.

The merchandise, the importation of which is not prohibited by the above regulations, shall be admitted without hindrance to free pratique.

Before subjecting to disinfection, wool which has not previously been submitted to the cleansing process, during manufacture, the outside covering must be removed. Those spaces of vessels in which the goods and articles mentioned in section 1, and also uncleansed wool, have been stowed, must, after the said goods have been discharged, be disinfected, cleaned, and ventilated, under the superintendence of a special port and sanitary official; and only after this has been effected, can the vessel be admitted to free pratique.

By an Order of the Minister of the Interior, dated February 2nd, 1879, it was directed that travellers, coming from Russia, would only be permitted to cross the frontier of the Monarchy, if their passports should bear a declaration from the Russian authorities, that such persons had not, within twenty days before the date of this declaration, resided in any Russian Governments in which the epidemic which had broken out, in several villages of Astrachan, prevailed. In the case of travellers who should arrive by ship, from Russian ports, the period spent at sea was to be considered as equivalent to a period spent upon unsuspected territory. The goods of travellers coming from unsuspected Governments, were to undergo a disinfection, at their entry within the Austrian frontiers.

This declaration (as to the residence of the holder of the passport, in an unsuspected territory, within the last

**Austria.** twenty days) must be provided with the *visa* of the Austrian Embassy, or Consular Officer, in Russia. The Austrian representatives in Russia are, at the same time, empowered to insert this declaration on the passport. In order to obtain the declaration, or the *visa* of it, from the above-mentioned representatives, the information as to the required residence in an unsuspected territory is to be proved in a credible manner.

Passengers coming from Russia by sea, are not permitted to land, until twenty days have elapsed from the date of their leaving the last Russian port at which the vessel touched. The clothes and linen of such passengers, and all woollen goods which have not passed through a cleansing process, during manufacture, are to be subjected to a disinfection by the fumes of sulphur, for three hours in a closed building. The coverings in which woollen goods are packed are, in every case, whether the wool has been previously cleansed or not, to be disinfected in a solution of carbolic acid of a strength of 2 per cent. All Austro-Hungarian ships, bound to Austro-Hungarian ports, are strictly prohibited from loading any of the goods mentioned in paragraph 1 of the Circular No. 974.

To the minimum quarantine of fifteen days, imposed at Fiume, upon vessels arriving from the *Ægean* Sea, the full extent of quarantine was imposed in February, 1879, upon all such vessels, on board of which a death or illness of a suspicious character had occurred; and vessels from the Black Sea, and Sea of Azov, were subjected to a rigorous medical examination and disinfection, and, in the case of a death, or an illness of a suspicious character, having occurred on board, to quarantine. Also, certain

articles enumerated in the Sanitary Code—such as tallow, **Austria.** hides, horns, hoofs, rags, skins, furs, old clothes, &c.—were excluded from the right of importation.

*Clean Bill of Health.*

Every ship, with a clean bill of health, is permitted to enter into free communication, so long as the Office of Health has grounds for believing that she comes in reality from an unsuspected place, and that, during the voyage, she has not had communication either with ports, or with suspected persons or things. Every ship must be provided with a certificate of the health, of the place of departure, which must mention the name of the vessel and the name of the master, the health of all on board, and also the opinion of the authorities of the place concerning the state of health of the locality and of the neighbourhood. This certificate must be issued from an Austrian office of health, or, in a foreign country, by the sanitary Authority of the place, or by an Austrian consul, and for want of one, by some other accredited consul, and must not be attested more than five days before the departure of the vessel. When the want of a certificate of health, or sufficient irregularity of the same, places the identity of a vessel in doubt, if credit is placed in the declaration of any ship coming from the same place, which is not suspected, then proof of the situation of the port, the length of the voyage, the description of the vessel and cargo, the nationality of the crew, or other documents which may be presented, may confirm the depositions, which will be sworn to by the master of the ship and two other persons. If there is sickness on board, the vessel shall not be subjected to any sanitary rules if, from the inspection of the doctor, no danger

**Austria.** is suspected. But, on the contrary, if the sickness presents suspicion of plague, or yellow fever, admission to pratique shall be suspended, until all danger shall be no longer suspected. Vessels of war are exempt, from producing this certificate of health, and from the official visit, and, on coming from an unsuspected place and having undergone an interrogation, they may be admitted to free pratique.

*Ships from Suspected Places.*

Ships, persons, merchandise, clothes, and animals which come from a suspected place, or which have been in contact with suspected persons or things, may not be admitted to free pratique until they have been examined, and undergone quarantine for the appointed time. Quarantine is divided into—

(a.) Quarantine of observation, when the ship with all on board is placed in a spot apart, for a certain time, for the purpose of observing the sanitary condition of the persons, and when the discharge of the merchandise either is not required by law, or else is limited to certain articles, which are particularly suspected.

(b.) Quarantine, properly so called, where, besides the observation of the sanitary state of persons, there must be a discharge and separate treatment of all suspected articles. It appertains to the Minister of Commerce to fix the duration of quarantine, as much according to the class (not suspected, suspected, clean, foul, very foul) to which the bill of health belongs, as to the amount of suspicion to which the countries (which being excluded from free pratique, were touched at by the vessel on her voyage) are subjected, bearing in mind their peculiar con-

ditions, in time of health. This duration may be modified **Austria.** according to circumstances. The principles which serve for basis to his decision are the following :—1. Against yellow fever, quarantine of observation is only to be applied ; against the plague, either quarantine proper or merely observation, according to the peculiar class of danger or suspicion. 2. In all cases of observation, the vessel, the persons, animals, and merchandise are subjected to the same length of observation—with the exception of articles of merchandise deemed particularly suspected. 3. Quarantine for a foul bill of plague, is fixed at the maximum of forty days, to which is added, moreover, a certain period for ventilation, which sometimes is inclusive in the quarantine and sometimes not.

#### *Foul Bill of Health.*

Vessels, which during their passage have had on board a case of sickness or death, accompanied by plague or yellow fever, and on which the plague has not been considered perfectly extinct, must undergo quarantine in a lazaret. The vessel immediately on her arrival is visited by the doctor, after which the passengers and other persons, who are well, may be landed at the lazaret, when the *Spoglio*<sup>46</sup> is made ; then all the sick or dead are disembarked, with all articles belonging to them, and guards are put on board the vessel, who ventilate her for six days, during which time all doors and receptacles for wearing apparel, on board, are kept open. With the object of promoting access of air, they ought to lift up every existing between the cabins and the hold, and in the they should place fumigations of chlorate and should with chlorate of lime. During the ventilation, if a

<sup>46</sup> See post, p. 485.

**Austria.** new case of illness appears, in order that the sickness may be purified, the ventilation must be commenced, and repeated as often as new cases of sickness appear. After the purification is over, there is another visit from the doctor, when, if no new suspicions are aroused, susceptible merchandise and the goods of persons may be discharged at the lazaret; merchandise which is not suspected may be released to pratique, when the ventilation of the susceptible goods is completed. Merchandise and other effects are subjected to a preliminary ventilation on the vessel, before being landed and undergoing the other quarantine treatment. The duration of quarantine is, without distinction of vessel, fixed at forty days. Goods are divided into four classes, *i.e.*, "much suspected," "suspected," "little suspected," and "not suspected."

*Much Suspected Goods.*

1. Every sort of rag of whatever material.
2. Every sort of clothes which have been worn, and other susceptible effects, which do not belong to persons who have entered quarantine with them, and whose origin is not well known.
3. All effects which are known to have belonged to persons who have died in the Levant, although not of the plague.
4. Clothes, and other effects, in use by persons who are sick or have died of the plague.

*Suspected Goods.*

5. Hemp, flax, and tow in bulk.
6. Texture of the same.
7. Manufactures and clothes of the same.

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8. Paintings on canvas.
9. Cotton and wool in bulk, hairs of camel, goat, beaver, hare, horse, and the like, also silk.
10. Texture of the same.
11. Manufactures and clothes of the same.
12. Boxes of silkworms, and pieces of silk, mixed with other material.
13. Silk in bundles.
14. Textures of silk.
15. Manufactures of silk.
16. All sorts of feathers, including down.
17. Feathers and quills.
18. Work in feathers.
19. All sorts of paper in packages.
20. Work in cardboard.
21. Books.
22. Carpets.
23. Drawings, engravings, and all things in paper and the like.
24. Bank-notes, lottery tickets, bonds, and other papers of value and such like.
25. All meat not skinned, and birds not plucked.
26. The above animals, even if the first are skinned, and the second are plucked, if they are still warm.
27. Horns and hoofs of animals which are not entirely skinned.
28. The horns and hoofs of animals which are hairy, even if they are skinned, and the remains of animals.
29. All the skins and furs of animals, raw or tanned, raw or dried, and every sort of leather.
30. Parchment.
31. All works of the currier, of the saddler, of the shoemaker, of the glover, and of the furrier.



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32. Every sort of string of guts (catgut).
33. Bread, food, and provisions prepared in quarantine, when they are dry and still hot.
34. Dead bodies, and embalmed bodies, which are proved by medical certificate not to be plague stricken.
35. Mummies.
36. Animals filled with straw and embalmed.
37. All susceptible packages, such as sacks, goat skins, wrapped up in paper, even if they be empty.
38. The same even if they be full.
39. All susceptible packages as the above, even if they are packed in other packages.
40. Sacks with grain or money, if they are enclosed in other packages of wood or metal.

*Note.*—Packages of every other material, which are enumerated below as *little suspected*, are not included.

41. All objects which are mixed, connected, gummed, sewn, or in any way united with suspected material, of which the respective separation cannot take place, on account of the union of the same being too expensive, or incurring time, or only being possible by the destruction or spoiling of the object, together with its accompaniments; such as—

- (a.) Pearls and corals on a string.
- (b.) Bottles and other objects, not suspected, with labels.
- (c.) Leaves of senna, daffodil (saffron), madder in balls, or bales, or cases.
- (d.) Leaves of tobacco in ball.
- (e.) Meerschaum in cases if wrapped in cotton.

42. All the objects, which in this section are not separately mentioned, but which in their resemblance to

them, approach to the materials expressly mentioned, **Austria.** as suspected, and which through their furry, skin-like, woolly, woven, porous, or feathery condition, correspond with them.

*Little Suspected Goods.*

43. All the objects comprised in each of the categories of "suspected goods," and which, it may be presumed, before their arrival have been commonly used, or frequently handled, by their owners who were bringing them, or have gone into quarantine with their owners, although the latter may remain in a state of health, free from suspicion, during the performance of quarantine, hence :—

- (a.) All things necessary for the ship and belonging to it, that is to say : sails, hawsers, sacks, empty or filled with provisions, the necessary quantity of sail-cloth, and of packthread, twine, of leather, of pieces of skin, of skins, &c., &c., the furniture and bedding of cabins of the vessel, consisting of pillows, carpets, pictures, table linen, &c., &c.
- (b.) The straw mats interwoven with thread, or twine, which are used as coverings on the vessel.
- (c.) The articles for the personal use of those in quarantine, such as articles of dress, linen, conveyances (carriages), beds, books.
- (d.) New manufactured articles, or other susceptible articles not used, if intended for the personal use, or for the family, of the person bringing them, if they are in a small compass, and are not packed separately, but are placed among articles of wearing apparel.

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(c.) Sacks containing samples of metal fused into small grains, or other articles (of lead), not in cases or other receptacles; in addition, all rolls of money sealed and done up in sacks or other wrappers.

44. Sacks filled at the port of loading with raisins.

45. Leather bottles, both hairy and otherwise, made from animal skins, which have been, or are, full of oil.

46. All leather bottles of the above description, not hairy outside, which are full of honey, tar, or spirituous or acid liquid, or tallow.

Goods which are much suspected, besides the ordinary quarantine test, ought moreover to be further subjected to a chemical process of disinfection, because this second treatment enables them to be released before the expiration of quarantine.

Suspected objects are subjected to one chemical process of disinfection, that is to say, either to the ordinary quarantine test, during the period fixed for merchandise, or to some other purification to effectuate it by the help of chemicals, in which case, having fulfilled the various conditions of disinfection, they may be admitted to pratique before the expiration of quarantine.

Goods little suspected, are likewise subjected to the same treatment as suspected goods, to one process of purification which acts chemically, with the difference that the same treatment of purification, which consists in the ordinary quarantine test, is performed for such goods in a somewhat less perfect manner, for a shorter period, and not in a lazaret, but at the owner's house, or on board ship.

Goods which are not suspected may be released at

any time, without any quarantine test, and without the application of any chemical process of disinfection, only they are first placed apart by the use of mechanical means, from all the suspected objects with which they were mixed. The Baltic States.

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### THE BALTIC STATES.

The quarantine station, for the performance of strict quarantine and the detention of foul arrivals, used by all the Baltic States, is situated on the small Swedish Island of Käsö, at the entrance of the Cattegat, opposite Gothenburgh, and about six miles from the coast. The vessels are under the jurisdiction of their respective Consuls, resident at Gothenburgh, who grant clean bills to the vessels when released. Vessels not detained at Käsö are subject only to a quarantine of observation, when deemed necessary, in their port of arrival, wherever that may be. The extensive quarantine establishment on the Island of Oder, off Christiansand, was formerly the principal foul quarantine station for the Baltic.

#### SWEDEN.

Plague is the only disease whose presence, in a port of departure, now subjects all arrivals therefrom, without exception, to quarantine. The detention was formerly for as many as eighty days, in conformity with the regulations of 1806. It has been reduced from eighty to fifteen days, according to circumstances. In 1855 the quarantine to which vessels were subjected, if cholera existed at their port of departure, was formally abrogated. Yellow fever is placed in the same category with cholera.

Free pratique is granted immediately after the official

**The Baltic States.** declaration that a disease has ceased in the port of departure. Cargoes are landed only on account of the plague. Susceptible articles are rags, hides, feathers, hair, woollen and silk goods, cotton, flax, and hemp. The means of purification are airing, washing, heating, and fumigation. Medical officers are maintained by Government where quarantine is established. At Stockholm, foul and unhealthy ships are required to be cleansed, &c., and are detained until the defects are remedied. At Gothenburgh, an officer is sent on board to carry out all necessary measures, for the thorough purification of the vessel, and the physician visits her every day and examines the crew, assembled on deck. Before the vessel leaves, the medical officer makes a final inspection, and then the superintendent and the cashier go on board with him to deliver to the captain the ship's papers, and also a clean bill of health.

#### NORWAY.

The existing quarantine law came into force in 1859. As in Sweden, it is only for the plague that quarantine is imposed on vessels, from an infected port, irrespective of the health of the vessel during the voyage and on arrival. When cases of cholera, yellow fever, or small-pox, have actually occurred on board, the vessel is liable to detention, not otherwise. For cholera, the period named is eight days; for yellow fever and small-pox, only until the sick or dead are landed, and the clothes and bedding have been thoroughly cleansed. Pratique is at once given to arrivals, after a disease has been officially declared to have ceased.

The following Ordinance was given at the Palace of Stockholm, on the 14th of February, 1879:—

“We, Oscar, by the Grace of God, King of Sweden and Norway, &c., make known that whereas by an Ordinance, dated the 20th of September, 1859, it was provided that, with a view to prevent the introduction into this realm of contagious disorders, certain precautions were to be observed: and whereas, moreover, by the Royal Proclamations of the 12th of December, 1862, and the 5th of July, 1870, certain measures were prescribed against the plague, it was then decreed that:—

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“1st. Vessels of every kind destined for Sweden departing from the Barbary States, Egypt, and the other Turkish States, by way of the Mediterranean and the Black Sea, are bound to provide themselves with bills of health containing a declaration as to whether any sickness of a pestiferous nature was prevalent, or had been prevalent within the last thirty days, at the place of loading or departure, or in the vicinity thereof, and also as to the state of health on board: It is hereby decreed that, with certain exceptions, all vessels on arriving in Sweden from the aforesaid countries, without previously communicating with the Swedish coast or its inhabitants, shall be bound to proceed at once to the quarantine station at Kånsö, to be there visited in order to ascertain the circumstances attending the voyage and the state of health on board, and in order that the vessel and the persons and goods on board may, under certain conditions, there undergo the quarantine treatment prescribed; and,

“2nd. That it shall be proclaimed, in the event of the plague breaking out in any foreign harbours other than those contemplated in section IV. of the first-mentioned Ordinance or in case of its spreading to the interior of any country or countries in Europe, that such special measures shall be notified for the protection of the realm

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States.**

against the introduction of the disorder as may be called for under the circumstances of the case.'

"We, therefore, inasmuch as a pestiferous, infectious disease has broken out in the south-east of Russia on the banks of the Lower Wolga, in consequence of the dutiful representations made to us by the Boards of Trade and of Health, have been pleased to ordain :—

"1st. That the special provisions contained in the aforesaid Ordinances, in so far as they affect vessels destined for Sweden and coming from the Barbary States, Egypt, and the Turkish States, on the Mediterranean or the Black Sea, are henceforth applicable also to all vessels destined for Sweden, and coming from any Russian harbour on the Sea of Azov or the Black Sea ; but that any vessel which may have departed from any of the last-named ports before this decree could have been known at them may, without being sent to Kånsö to undergo quarantine, be permitted to enter any other port or proceed to its place of destination, provided that the vessel shall have employed on the voyage the period hereinafter specified of at least twenty days, and that nothing has occurred, which, irrespective of the vessel's place of departure, could otherwise entail the application of quarantine treatment, and

"2nd. That not less than the time specified in section IV. of the gracious Ordinance of the 20th of September, 1859, which a vessel would take on its voyage from a place infected with plague, or after having communicated with a vessel infected with plague, or coming from a place infected with plague, shall be allowed as exempting a vessel from the performance of quarantine before proceeding to her port of destination, and, moreover, the period stipulated in section VII. of the aforesaid

gracious Ordinance for vessels, persons, and goods is hereby extended to twenty days. Those whom this may concern are hereby required, &c.” The Baltic States.

The following rules were made early in March 1879:—

Passengers from Finland, inclusive of the Aland Islands, by land or sea, or from Russian ports in the Baltic, are bound to provide themselves at their place of departure with a certificate from the competent Swedish and Norwegian Minister or Consul, or, in the absence of such Minister or Consul, from the local authority, not more than forty-eight hours before the passenger sets foot on Swedish soil, or before the departure of the vessel, showing that such passenger has not visited a plague-stricken place within the previous twenty days.

Masters of vessels introducing passengers in contravention of these regulations are liable to a fine of 50 to 500 kronas.<sup>57</sup>

The importation of the following articles from Russia or Finland is prohibited, viz:—

Linen, articles of clothing which have been worn, bedding, rags, fur or fur clothing, raw hides, wrought or unwrought sheep or goat skins, hair, horsehair, bristles, feathers, down, felt, smoked or dried fish, intestines (fresh, salted, or dried), and caviare.

An exception to this prohibition is made in favour of clothes and travelling necessities for personal use, brought by passengers provided with certificates of health.

Raw and manufactured woollen articles contemplated by the Royal Ordinance of May 30th, 1873, may still be imported.

<sup>57</sup> A *krona* is a new coin, adopted by the law of May 30th, 1873, in conformity with the monetary Convention, of the 27th May of the same year, with Denmark. It is worth 1*s.* 1½*d.* English money.



**The Baltic  
States.****RUSSIA.**

The following regulations were sanctioned by the Emperor of Russia, on the 9th of November, 1864, and promulgated by ukase on the 24th of the same month :—

1. The security of the coasts of the Baltic against the introduction of the plague, is confided to the Swedish quarantine station of Käsö in the Cattegat, who ought to take, for the disinfection of vessels sailing for Russian ports, and of their cargoes, and of their crew, and in general of all that may be on board, the same precautions which are prescribed for it, by its own laws, for vessels which enter Swedish ports.

2. All vessels which enter ports of the Russian Empire on the Baltic, from whatever places they may come, except those mentioned in Art. 9 of these rules, shall be bound to be provided with a clean bill of health, delivered at the port of embarkation and *viséd* by the consul or consular agent of Russia; or where there be none by the Swedish consul; or if there be none, by one of the other consuls chosen by the Minister of Foreign Affairs.

3. In every port where a vessel shall have touched, she shall cause to be endorsed on her bill of health, by the consul or agent of Russia, or by the other persons authorized in that behalf, the sanitary state of the port.

4. In time of the complete absence of the plague, declared and recognized by the notices of the Swedish Government, all vessels without exception from whatever port they may come, and if the Swedish quarantine regulations so authorize it for Swedish ports, may come direct into the Russian ports of the Baltic, where they will be admitted without delay, if they present the clean

bill of health required by the foregoing articles ; if not, **The Baltic States.** they shall not be admitted into the port. It is to be noticed that masters of vessels, destined for the Russian ports of the Baltic, are obliged to have on board, a copy of the Swedish quarantine regulations in force (the Royal Ordinance of 20th of September, 1859), of which the 4th paragraph clearly notifies the circumstances under which vessels may sail direct for the different Swedish ports, for which they are destined, and those which may require to touch previously at Käsö, to be questioned and disinfected.

5. In time of the plague, or when it is suspected, whenever notices of the Swedish Government declare certain places or ports to be infected or suspected of plague, all vessels, coming from the said places or ports, are obliged to touch at the Swedish quarantine of Käsö, in the Cattégat, to undergo quarantine and the process of disinfection, conformably to the rules of that establishment ; and when afterwards they shall continue their passage to Russian ports of the Baltic, they shall only be admitted on the presentation of a bill of free pratique, delivered by the quarantine station of Käsö.

6. Vessels which left in time of plague, or when it was suspected, from places perfectly healthy, and recognized as such by the notices of the Swedish Government, may even in that time, if provided with a clean bill of health, without touching at Käsö, sail direct to the ports of the Baltic, where they will be always subjected to an interrogation on the subject of their communications with vessels, which they may have met with on their passage between the last port touched at (where they received the consular *visa*) and the port of arrival. If it results from this interrogation that the vessel has not met with any

**The Baltic States.** suspected vessel on her passage, she shall be received in the port without any delay. In the contrary case, all communications with land may be forbidden her, for a time fixed by the Authority of the port; or in the case of a serious doubt, she may be sent back to Kängö to be re-admitted to quarantine by the consul or commercial agent of Russia. The interrogation, and in general the verification of the bills of health, are undertaken by the commander of the guard-ship, at the same time that he receives the passports and other papers on board.

7. The consuls and agents are, moreover, obliged to watch that no vessel is possessed of more than one bill of health. If the bill of health is old or dirty, or entirely covered with *visas*, it should be withdrawn and another delivered to the master, in which they should briefly recite the former places of departure, and the principal contents of the observations written on the old bill of health.

8. All the Russian Custom houses and barriers, as well as the commanders of guard-ships, and the riverain authorities of the Baltic, and of its gulphs, ought to be furnished with copies of the clean bills of health, that the Swedish Government delivers to vessels to show that their crew or cargoes have been disinfected, and afford no danger, as well as prints of the seals fixed on such bills of health, and copies of the certificates delivered by Russian consuls and agents to vessels which are not bound to touch at Kängö.

9. Vessels which have taken a cargo from foreign or Russian coasts of the Baltic, or which arrive in ballast, are admitted into Russian ports of the Baltic, without certificates of quarantine.

10. To be more easily recognized, all vessels going from the North Sea to Russian ports of the Baltic, ought

to have at one of their masts a green flag, and are bound to produce during their passage, their bills of health to the commander of the first guard-ship which they may meet with, as well as to the other commanders of guard-ships, if they should require it. **The Baltic States.**

11. The masters of vessels arriving in a port without a bill of health, or with an irregular bill of health, or of which the bill of health presents erasures, scratchings or interlineation, if they were bound to have a regular bill of health on account of their place of departure, are liable to a fine of twenty-five roubles,<sup>58</sup> unless they afford proof that they have lost their bill of health by means of violence, or other causes, over which they had no control. The masters of vessels are equally liable to the said fine of twenty-five roubles, whose bills of health are not provided with the *visas* of Russian consuls and agents, or of other persons duly authorized in this regard, mentioning the state of health, or of quarantine of the ports, where their vessels have touched in their passage.

12. If the master insists upon the regularity of his bill of health, the commander of the guard-ship shall withdraw it from him, as well as all his ship's papers, and shall send them immediately to the superior riverain Authority; in the meanwhile, he shall keep the vessel apart, and interdict her all communication.

13. On the arrival of vessels at their destination, their bills of health should be sent by the commanders of the guard-ships to the Custom House authorities, to be destroyed.

14. In returning, or passing, from the North Sea or other seas into the Baltic, the commanders of Russian ships of war ought, in passing before the quarantine of

<sup>58</sup> A rouble is worth 3s. 4d.

**The Baltic States.** Kängsö, to inform it of the good sanitary state of their ships and crews. This information, given as a word of honour, is sufficient.

15. The consuls are bound to communicate without delay to the Minister of Foreign Affairs, and to the Department of Foreign Commerce, full information of the symptoms of all contagious sickness, which may declare itself in the country of their abode.

#### DENMARK.

The quarantine regulations nominally existing are of the date of 1805, and are directed against all vessels having any malignant disease on board, and upon all arrivals from the Levant and other countries where the plague was liable or suspected to exist. In cases of cholera, typhus fever, or small-pox existing on board a vessel arriving at Elsinore, the sick may be landed and sent to a building close to, but separate from, the general hospital on shore; while, the vessel is detained, apart from others, for twenty-four hours, to be cleansed and fumigated. By a Royal Ordinance of March, 1852, quarantine on account of yellow fever and cholera existing in the port of departure, was formally abolished in all Danish harbours. Cargoes may be sent to the lazaret at Kängsö. When there is a sickness on board a vessel in quarantine the quarantine physician would visit the sick, but without going on board; and would provide the necessary medicines at the expense of the ship. No inspection is made previous to granting bills of health.

The following regulations were adopted in February 1879:—

“Quarantine inspectors will be stationed along the coast, at distances of about nine miles from each other.

Except in urgent cases, no communication with the shore **The Baltic States.** will be permitted, in respect of either persons or goods arriving in vessels from places suspected of plague, unless the vessels have a clean bill of health from some Danish port.

“Every vessel arriving in a Danish port from a suspected place, will be subjected to a quarantine of observation, and every shipmaster will, immediately on arrival, be questioned by the quarantine inspector as to the incidents of the voyage. Should the vessel have come from a clean port, and have had neither sickness nor death on board during the voyage, and should she not have communicated with any other vessel on the way, the crew may be allowed to land ; and if, in other respects, there is no cause for suspicion, she shall be admitted to free pratique. On the other hand, should anything have occurred during the voyage to make the master suppose that his vessel may be suspected, he shall hoist a green flag on arrival in Danish waters. In order to assist masters in doing this, Danish pilots are to be provided with suitable green flags when at sea. The quarantine inspector will examine the master and the vessel's papers, and decide whether the vessel shall be placed in strict quarantine, or kept under observation on the spot, or admitted to free pratique. Conformably to an understanding come to with the Swedish and Norwegian Governments, strict quarantine is to be undergone at the quarantine station at Kånsö, near Gothenburgh.

“The nature of the quarantine, to be imposed on any vessel, will depend to a great extent on the character of the goods on board.”

In consequence of the plague in Russia, the Danish Government, on the 19th of February, 1879, issued a notice (based on a new quarantine law passed the pre-

**The Baltic States.**

ceding day) by which the importation into Denmark, from Russia, of the following articles was prohibited, viz. :—

Used linen, bedding, and all kinds of wearing apparel, rags, wool, and paper refuse ; furs and furriers' work ; skins and hides, raw and prepared ; leather, tanned or untanned ; animals' entrails, fresh, dried, or salted ; felt, hair, bristles, feathers, down, fish or fish products, and sarepta balsam. The above prohibition does not apply to linen and wearing apparel entering Denmark seawards, and brought by travellers for personal use ; but such articles will be subjected to disinfection, should the vessel carrying them, not be provided with a clean bill of health from the Danish Consul at the port of departure, or in his absence from some competent local authority, to the effect that no person on board has, during the previous twenty days, been at a plague-infected place.

The following supplemental notice was published by the Minister of Justice on the 1st of March, 1879, viz. :—

“ 1. To the list of prohibited goods from Russia shall be added ‘wool,’ when not cleansed at the place of manufacture.

“ 2. The quarantine inspectors shall see that every shipmaster coming from a Russian port shall have put to him (besides the questions required by section 7 of the law of 8th February, 1805) the questions, ‘If he has on board any of the prohibited articles specified in the notice of the 19th February, 1879,’ and ‘If the ship is provided with the certificate’ (bill of health) mentioned in that notice. Shipmasters coming from other foreign ports, shall be questioned as to whether on the journey they have received, on board, any of the above-mentioned articles, from ships cleared out from Russian ports.

"3. The certificate referred to in section 2 shall specially mention every person it includes. **The Baltic States.**

"4. Ships entering Danish jurisdiction, and having on board any of the prohibited articles, scheduled in the notice of 19th February of this year, shall not be permitted to land them, without the special permission of the quarantine inspectors ; neither shall any person or persons be permitted to land, until their wearing apparel and luggage are thoroughly disinfected.

The necessity of disinfection does not apply to pilots and persons, who for short periods, and under the supervision of the quarantine inspectors, have been in communication with such ships.

5. In stranding casualties, and cases where goods and wreckage are cast on shore, when no proof exists that they (the vessel and goods) do not come under the prohibition of importation from Russia, the above rules are to be followed—with due regard, however, to the necessities of each case, and to the saving of life. But in no case shall any part of the salvage property, consisting of prohibited articles, be landed ; but if they cannot without assistance from shore be got rid of, they shall be destroyed, without any compensation being allowed.

"6. The disinfecting process for linen, clothes, and luggage referred to in the preceding section, and in the notice of the 19th February last, shall, if possible, be effected by means of a disinfecting oven, which shall be heated to 120° Celsius.

"In the absence of this means, or where it cannot be applied, exposure during six hours to the fumes of sulphur, in a close room or space, shall be used, in the proportion of one kvint (five grammes) of sulphur for every



**Belgium.** cubic ell (two Danish feet). Trunks and cases in which luggage has been packed shall be carefully washed, with a solution of one part of chloride of zinc to fifty parts of water."

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#### BELGIUM.

By a Royal decree of June, 1851, it is ordained that all vessels, from whatever country they have come, shall be, immediately after visitation, admitted to pratique, provided they are furnished with a bill certifying the state of health of the crew and passengers at the moment of departure, and that no case of contagious sickness has occurred during the voyage.

Vessels not furnished with such a bill, or on board of which any case of contagious disease has occurred during the voyage, or whenever other circumstances may call for extraordinary precautions, shall be immediately reported by the quarantine physician to the Governor, who, after consulting with the Board of Health, may either liberate the vessel or impose quarantine, according to circumstances. The quarantine shall be for three days, after which, if the health of the crew is found to be satisfactory, the vessel shall be released.

The various Acts and regulations relating to quarantine in the ports of Belgium, are nominally rather than actually in force; for although lengthened periods are assigned for various cases, practically, a longer quarantine than from three to five days has rarely been enforced.

There is no lazaret at or near Antwerp. Vessels are detained in the Scheldt, about twelve miles below the city, when it is deemed necessary.

The following is the form of the bill of health, delivered to ships under Belgian flags, in case any contagious diseases exist at the foreign ports of departure. It is delivered by the Consuls, whose duty it also is to inform their Government at once of any such disease.

“CONSULATE OF BELGIUM.

“ We, Consul for Belgium at \_\_\_\_\_, certify that the ship called \_\_\_\_\_, of \_\_\_\_\_ tons burden, under the Belgian flag, Master \_\_\_\_\_, leaves this port laden with \_\_\_\_\_ (or in ballast), having on board \_\_\_\_\_ persons, including the master, according to the muster roll *visé*d at the office of the Marine, to sail for \_\_\_\_\_. We certify that the persons composing the crew of the said ship, as well as the passengers, are in good health (*if there is any illness on board it is indicated, as well as the nature of the illness*). We declare, moreover, that (*specific information in full is given of the sanitary state of the country of departure and the countries neighbouring, or with which there is communication*). In witness whereof we have signed these presents, and confirmed them with the seal of our Consulate. Given at \_\_\_\_\_, the \_\_\_\_\_ of the month of \_\_\_\_\_, 18 \_\_\_\_.

“Signature of Consul, \_\_\_\_\_ (L.S.)”

In February, 1879, in consequence of a despatch which had been received from the Belgian Legation at St. Petersburg, respecting the existence of Asiatic plague in the province of Astrachan, the Sanitary Commission of the Scheldt took the following precautionary measures :—

1. All vessels arriving from Russian ports of the Black Sea, and from the Sea of Azov, should undergo a medical

**Belgium.** examination at the Doel, whatever the length of their voyage.

2. Those, of the above vessels, whose voyage should have lasted less than twenty days, to complete that period in quarantine.

3. Those vessels, whose voyage had extended to or exceeded twenty days, to prove, by exhibiting bills of health, that Asiatic plague did not exist at their port of departure, and to show that their whole crew, as given on the muster roll, are in good health.

4. If there be one or more sick persons on board, they should be kept in quarantine, until admitted to free pratique by the Governor of the Province, on the advice of the Sanitary Commission of the Scheldt.

5. The same regulations should be observed, in case of death during the voyage, or on arrival. The property of dead persons should be burnt, and vessels should be disinfected before the admission of the same to free pratique.

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## BRAZIL.

### RIO JANEIRO.

There is no regular lazaret, nor quarantine establishment, in this port, nor any specific regulations for vessels arriving from different ports. By the Imperial decree of January, 1843, all arrivals from foreign ports must be provided with a bill of health. When any death, even from an accident or falling overboard, has occurred during the voyage, an inquiry is instituted, which in reality subjects the vessel to from one to three days' quarantine. When contagious sickness exists on board,

the vessel on arrival is placed under observation and **Brazil.** an inquiry is made ; but, except in extraordinary cases, she is seldom kept in quarantine beyond three days—at least when any trouble is taken to get pratique.

In October, 1854, when the cholera broke out in Europe, and before it appeared in Rio Janeiro, special regulations were issued from the Department of the Home Minister, whereby vessels arriving from ports infected with the disease, but without having had any sickness on board, were not admitted to pratique, unless they had been at least twenty-five days on their voyage. If any case had occurred on board, the same period of twenty-five days must have elapsed, from the date of the last attack, and the passengers were landed at some place or places designated by the Government, and other precautionary measures enjoined by the Board of Health were carried out. It was, however, soon found that these regulations could not be carried into force ; and after subjecting several vessels to considerable detention and inconvenience, they were gradually relaxed, and on the appearance of cholera were abandoned. Very minute and complicated quarantine laws and regulations have been devised by Dr. Paulo Candido, President of the Board of Health, at Rio Janeiro, for the entire Brazilian Empire, but they do not appear to have been put in practice.

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## CHILI.

### VALPARAISO.

Some regulations, with respect to the enforcement of quarantine exist, in the port of Valparaiso ; they are not very definite, and they are always interpreted in the

**Chili.**

most liberal manner. With the exception of cases, when numerous and aggravated, of yellow fever occurring on board ships arriving from the ports of Manganillo in Mexico, Panama, Guayaquil, or Callao, there is a tendency to disregard all quarantine regulations, as likely to interfere with the freedom of commerce. Generally speaking, all cases of yellow fever which occur in vessels from the above-mentioned ports, are convalescent before their arrival at Valparaiso. Vessels have arrived with cases of fever on board, and the patients have been permitted to be landed and treated on shore ; and it is said that in no instance, has the disease spread from the sick to other persons.

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**DANISH COLONY.****ST. THOMAS (ISLE OF).**

Quarantine is imposed on arrivals from ports where small-pox or cholera exists, or when there have been any deaths during the voyage, or there is any sickness on board on arrival. The quarantine is for five days, dated from the time the vessel left the infected port, &c. No exception is made in favour of any particular vessels. There is no lazaret. Cargoes suspected to contain contagious matter are landed at an isolated store, outside the town. In the event of sickness on board a ship the quarantine physician proceeds alongside, not on board a ship, and prescribes at the ship's expense. Vessels are not inspected before clean bills of health are granted. The quarantine at this port is regulated by the Board of Health.

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## EASTERN ARCHIPELAGO.

Borneo, and the other islands in the Indian Archipelago, also the port of Bangkok in Siam, have no particular regulations with regard to quarantine.

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## FRANCE.

Decided reforms were effected, first by a Royal Ordinance in April, 1847, and subsequently by a decree of the President of the Republic, in 1849, founded on a report of the Minister of Commerce and Agriculture, wherein it is stated :—

“The Ordinance of 1847 very materially modified the sanitary code of our country. It not only reduced the duration of quarantines, and abolished them under certain conditions, on arrivals from Turkey and Egypt, when these countries were free from any pestilential epidemic, but it also established (and it is this which gives to the Act a peculiar importance), upon rational data, the new system of precautionary measures which it prescribed. Up to that period, the precautions which had been taken against the introduction of the plague were not based upon any scientific observations ; mere arbitrariness had for a great length of time determined the duration of quarantines. . . . . While science casts so much light respecting the incubation and other features of the plague, an idea not less fruitful of good for the cause of sanitary reform was originated at the same time. Hitherto all defensive measures against the invasion of the disease had been organized merely on the sea-coast. It was now deemed to be both more simple and more logical to extend the surveil-

**France.**

lance over the countries themselves where the disease took its origin. This was done by the nomination of resident physicians by our Government in Turkey and in Egypt, to examine into the sanitary condition of those countries, and to fix the bills of health to be given to vessels on their departure, a measure that was the more useful as it provided for the more or less speedy introduction of important modifications into the *régime* of sanitary superintendence." Arrivals from Turkey and Egypt having clean bills of health verified by French Consuls, and remaining free from the disease during the voyage, provided this was not less than ten days, were admitted to free pratique. By the decree of 1849, the period of ten days was reduced to eight days, and other relaxations were introduced. In 1850, the quarantine upon arrival from a port infected with cholera, but without sickness during the voyage, was all but abolished. It was upon that occasion that the Quarantine Board of Marseilles, which had never been favourable to reform, placed itself in opposition to the Government, and was in consequence dismissed, and the task of reconstructing a new Board, with more liberal views, was entrusted to Dr. Melier, of the Academy of Medicine. At the close of 1851, the International Sanitary Conference, on the subject of Quarantine in the Mediterranean, was assembled in Paris. A Convention embodying the recommendations and conclusions of that Conference was concluded; and the laws and regulations in all French ports were based upon it; they were promulgated by an Imperial decree of May, 1853.<sup>59</sup> The leading regulations under this

<sup>59</sup> The Convention and the International Regulations, based on the same, will be found *ante* at p. 343.

decree were the following :—“ With respect to the **France.** plague, clean bill arrivals are admitted to free pratique at once in the oceanic ports of France ; also in the Mediterranean ports, provided eight days have elapsed since leaving the port of departure. The French mail steamers from Alexandria to Marseilles land their postage bags at once, however short the voyage may be ; but the passengers are liable to be detained for one or two days, until the required period of eight days is fulfilled. Foul bill arrivals are subject to a quarantine of ten full days after arrival, and the cargo to a quarantine of ten full days after disembarkation, in a lazaret. These regulations apply equally to the oceanic and the Mediterranean ports of the empire. With respect to yellow fever, clean bill arrivals are admitted at once to pratique. Foul bill arrivals in the Mediterranean ports are subject to a quarantine of three, five, or seven days, according to circumstances detailed in the Convention. In the oceanic ports, free pratique is given provided no sickness nor death from yellow fever has occurred during the last ten days of the voyage. No quarantine is imposed on the cargo in either case. With respect to the cholera, foul bill arrivals in the Mediterranean ports are subject to a quarantine of five days, including the voyage ; in the oceanic ports, to a quarantine of from three to five days, when one or more cases of the disease have occurred during the voyage. No quarantine is ever imposed on the cargo. When typhus, small-pox, or other contagious disease exist on board a vessel on arrival, a quarantine varying in length according to circumstances may be imposed. In all quarantines for whatever disease, the Minister of Commerce has the power, when he sees fit, of modifying



**France.** or dispensing with the regulations." This discretionary power appears to have been frequently exercised, and that as little interruption to commercial intercourse, as possible, was practised.

Although twelve States were represented at the above Conference, only France, Sardinia, Portugal, Tuscany, and Turkey adopted it, and even these nations refused to renew it, after the expiration of the five years for which it was to be in force. It continued, however, to be the Municipal law of France, in union with the old law of the 3rd of March, 1822 (which is still unrepealed), and other minor regulations, until 1876, when it was finally abrogated by a decree of Marshal MacMahon, dated the 22nd of February of that year, enacting new Regulations. These Regulations, which are the law at present in force, are to the following effect :—

#### GENERAL REGULATIONS OF THE MARITIME SANITARY POLICE.

Vessels provided with a clean bill of health are admitted to free pratique immediately after they have been interrogated, except in the following cases :—

- (a.) When a vessel, with a clean bill of health, has had on board during the passage, ascertained or suspected case of plague, yellow fever, or cholera, or serious illness believed to be importable.
- (b.) When a vessel has met at sea, with anything likely to compromise her sanitary condition.
- (c.) When she presents on arrival, a dangerous sanitary condition.
- (d.) When the sanitary Authority, for serious reasons, doubts the truth of the tenor of the bill of health.

- (e.) When the vessel comes from a port, which holds free **France**.  
intercourse with a neighbouring place, where  
the plague, yellow fever, or cholera prevail.
- (f.) When a vessel coming from a port, where one of  
these three illnesses prevailed a short time  
before, has left this port before a sufficient  
delay has occurred for the country to be  
declared healthy.

In the above cases, or in the case of a foul bill of  
health, a vessel is liable to quarantine. Vessels liable  
to quarantine are of two classes.

1. If the vessel arrives, with a declaration from the  
master, or from the doctor, that no illness  
(plague, yellow fever, or cholera) has occurred  
on board since its departure, and if the  
medical inspection confirms this declaration,  
the vessel is only *suspected*.
2. If ascertained or probable cases of plague have  
taken place, on board, either at the port of  
departure, or on the voyage, or on arrival, the  
vessel is considered *infected*.

#### REGULATIONS AGAINST CHOLERA.

*Sanitary measures applicable to vessels coming from the  
ports of the Mediterranean.*

#### SUSPECTED VESSELS.

Suspected vessels are subject to a quarantine of **Cholera**.  
observation, which for persons may vary from three to  
seven complete days, from the date of the medical  
inspection. Nevertheless, if the sanitary authority has

**France.** sufficient proof that no case of a suspicious nature has occurred on board, during the passage, and if the latter has lasted for more than seven days, and if the vessel is otherwise in a healthy condition, the observation may be reduced to twenty-four hours, for verification and for the disinfection of the articles in use. In a case of mere suspicion, the unloading of a vessel on sanitary grounds, and general disinfection are not obligatory, but may be ordered by the sanitary Authority. In the latter case, the quarantine of persons on board, commences when these operations are terminated, and may vary according to the limits hereinbefore mentioned. In such cases, where there is no lazaret, quarantine of observation may be undergone on board, so long as no case of cholera is manifested, and if the sanitary conditions of the vessel allow it ; otherwise, the vessel must be sent to a port where there is a lazaret, to undergo strict quarantine.

#### INFECTED VESSELS.

Every infected vessel, on board of which ascertained or probable cases of cholera have manifested themselves, during the passage, whatever has been its length, or have been observed on her arrival, is subject to strict quarantine. This quarantine is for seven complete days for persons, to date from their entering the lazaret ; in certain exceptional cases it can be extended to ten days, on the advice of the Sanitary Council. If the lazaret is of inferior rank, that is, only prepared for sick persons, those alone may be landed ; and the vessel, with her passengers who are not ill, and her crew, is sent to the nearest first-class lazaret. Clothes, and susceptible goods, are disinfected ; unloading for sanitary purposes is proceeded with after the landing of the passengers, and the vessel is

subjected to a complete disinfection, after which the **France.** persons remaining on board must undergo quarantine for three to seven complete days.

*Sanitary measures applicable to vessels coming from the ports of the English Channel and of the Ocean.*

#### SUSPECTED VESSELS.

These vessels are not admitted to free pratique, until **Cholera.** after an observation of twenty-four hours apart, and a medical inspection has verified the absence of cases of cholera on board. The observation for twenty-four hours for persons, and medical inspection, are imperative in all cases, whatever may have been the length of the passage, and notwithstanding the presence of a doctor (*médecin commissioné*) on board. The measures of disinfection are discretionary. When they are ordered, they may delay the admission of the vessel to free pratique, until they are completed.

#### INFECTED VESSELS.

Every infected vessel, on board of which ascertained or probable cases of cholera have manifested themselves, during the passage, whatever has been its length, or else are verified by medical inspection, is subject to strict quarantine. In this case, if there are sick persons on board they must, if possible, be immediately landed at a lazaret, or some isolated spot. Persons, who are not sick, are placed apart in quarantine, which may vary from one to seven complete days, according to circumstances. Clothes and susceptible goods, and the vessel, are subjected to complete disinfection, according to the rules of

**France.**

strict quarantine. For persons, who remain on board during the disinfection of the vessel, the quarantine commences after the disinfection is ended. The sanitary Authority determines, within the limits of the time herebefore mentioned, the length of quarantine for each individual case. In case of appeal against a quarantine which exceeds three days, the sanitary Authority is consulted.

*REGULATIONS AGAINST YELLOW FEVER.*

*Sanitary measures applicable to vessels coming from the ports of the Mediterranean.*

**SUSPECTED VESSELS.****Yellow  
Fever.**

For vessels of this class, if the passage has lasted more than fourteen days, and if the sanitary conditions on board are satisfactory, the quarantine of observation for persons may vary from three to five complete days; if the passage has lasted less than fifteen days, the observation may extend to seven complete days. Quarantine for passengers shall be undergone in a lazaret, but if there is no lazaret, it may be undergone on board, according to rules which may be determined. In cases of this class, the sanitary Authority may decide on the measures of disinfection necessary. When a general disinfection is ordered, persons who remain on board, are subject, after the disinfection is ended, to a quarantine of three to five days.

**INFECTED VESSELS.**

Every infected vessel, having had, or still having, yellow fever on board, is subject to strict quarantine. If there

are sick persons on board they are immediately landed **France.** at the lazaret. The quarantine of persons who are not sick, may vary from seven to ten complete days, dating from their entry into the lazaret. If the lazaret is of second class, prepared for sick persons only, such alone are landed, and the vessel, with her passengers who are not sick, and her crew, is sent to the nearest first-class lazaret. If it is found that the latest cases of yellow fever on board, existed fourteen days previously, and that proper sanitary measures have since been taken, the quarantine for persons sent to a lazaret may be reduced to five complete days. In all cases of this class, unloading for sanitary purposes, disinfection of clothes and susceptible goods, and of the vessel, is obligatory. When persons remain on board, they undergo a quarantine of five to seven complete days, which begins when the disinfection of the vessel is finished.

*Sanitary measures applicable to vessels coming from the ports of the English Channel and of the Ocean.*

SUSPECTED VESSELS.

If the passage has lasted more than fourteen days, **Yellow** and if since her departure no suspected case of yellow **Fever.** fever has occurred on board, vessels of this class are admitted to free pratique, after a medical inspection has verified the absence of any suspected case on board; if the passage has lasted less than fifteen days, under the same conditions, passengers are subject to a quarantine of one to five days, either at the lazaret or on board, if there is no sufficient lazaret. In the latter case, the discharge of the vessel does not commence until the quar-

**France.** antine has expired. The disinfection of the vessel, and of susceptible goods, is discretionary in all cases of mere suspicion. The sanitary Authority may order it. In this case, the quarantine of persons who remain on board does not commence until the disinfection is over; it may vary from one to three days, according to circumstances.

#### INFECTED VESSELS.

Every infected vessel, is subject to strict quarantine. If there are sick persons on board they are immediately landed at the lazaret, or at some isolated spot. Quarantine for persons who are not sick may vary from three to seven complete days, counting from their entrance at the lazaret. Nevertheless, if it is ascertained that the last cases of yellow fever on board, existed more than fourteen days previously, and that proper sanitary measures have been since taken, the quarantine for persons landed at the lazaret may be reduced to twenty-four hours. Clothes and susceptible goods are disinfected. As to persons who remain on board, quarantine does not commence for them until the unloading for sanitary purposes, and the disinfection of the vessel, are completed; it is for three to five complete days. In case of appeal against a quarantine which exceeds three complete days, the Sanitary Council is consulted.

#### REGULATIONS AGAINST THE PLAGUE.

##### SUSPECTED VESSELS.

*Sanitary measures applicable to vessels coming from the ports of the Mediterranean.*

**The  
Plague.**

Suspected vessels, having had no case of plague discovered during the passage, are subject to a quarantine,

which can only be undergone in a port, which has a **France.** lazaret. For persons, the quarantine of observation is from five to ten complete days, either at the lazaret, or on board, if the lazaret is insufficient. Discharge for sanitary purposes, and disinfection of clothes and susceptible goods, and of the vessel is obligatory. Quarantine for persons, who remain on board during the unloading, is from five to ten complete days, and does not commence until the disinfection of the vessel is completed.

#### INFECTED VESSELS.

As to vessels which have had, or still have cases of the plague on board, if there are sick persons they are immediately landed at the lazaret; persons who are not sick are subject to a quarantine of ten to fifteen complete days, dating from their entering the lazaret. The unloading of the vessel for sanitary purposes, and complete disinfection of clothes, and susceptible goods, and of the vessel is obligatory. The quarantine for persons who remain on board, is from ten to fifteen complete days; it only commences when the vessel has been disinfecting.

*Sanitary measures applicable to vessels coming from the ports of the English Channel or the Ocean.*

#### SUSPECTED VESSELS.

Vessels of this class, which have had no case of plague **The** discovered during the passage, are subject to a quaran- **Plague.** tine, which must be undergone in a port where there is a



**France.** lazaret. Quarantine of observation for persons, whether in a lazaret or on board, is from three to five complete days. Disinfection of clothes, and of susceptible goods, and of the vessel, and unloading for sanitary purposes, is obligatory. Quarantine for persons, who remain on board during the unloading, does not commence until the disinfection of the vessel is over ; it is from three to five complete days.

#### INFECTED VESSELS.

For vessels which have had, or still have, cases of plague on board, if there are sick persons they are immediately landed at the lazaret. Persons, who are not sick, must undergo a quarantine of five to ten complete days, dating from their entry into the lazaret. Unloading for sanitary purposes, and complete disinfection of clothes, and of susceptible goods, and of the vessel, is obligatory. The quarantine of persons, who remain on board during the unloading, is from five to ten complete days, and does not commence until the disinfection of the vessel is completed.

#### THE INTERROGATION.

Every master of a vessel, arriving in a French port, is bound—1st, to prevent all communication with, and all unloading of, his vessel before it has undergone interrogation (*reconnaissance*) and has been admitted to free pratique ; 2nd, to conform himself to the rules of the sanitary police, as well as to the orders which are given him by the sanitary police authorities ; 3rd, to produce to the said authorities all the papers on board ; 4th, to answer on oath the sanitary interrogation, and to declare all

facts, and to give all information, which has come to his **France**, knowledge concerning public health.

The following form of interrogation is at present in use, viz. :—

1. Where do you come from?
2. Have you a bill of health?
3. What is your name, surname and rank?
4. What is the name, the flag, and the tonnage of your vessel?
5. Of what is your cargo composed?
6. On what day did you leave?
7. What was the state of public health at the time of your departure?
8. Have you the same number of crew now as you had when you left, and are they the same persons?
9. Have you had during your stay during the passage any sick on board? Have you at the present time?
10. Has any one died during your stay, either on board, or on land, or during the passage?
11. Have you cast anchor anywhere? Where? At what time?
12. Have you had any communication during the passage? Have you picked up anything at sea?

NOTE.—In practice, the above interrogations may be shortened for vessels coming from French ports, or from countries known to be healthy.

In case of suspicion, the sanitary authorities may make, independently of the above questions, any other interrogations which they may judge necessary to ascertain the sanitary condition of a vessel, specially on points of sickness, or of death, noticed during the passage. They may require the production of the muster roll of the crew and of the passengers, as well as all other

documents, which show the number of persons present on board at the time of arrival.

#### THE BILL OF HEALTH.

**France.** Every vessel which arrives in a French port must before any communication undergo interrogation (*reconnaissance*) (Art. 4).

Presentation of the bill of health, on arrival at a French port, is obligatory at *all times* for vessels coming from the Eastern coasts of Turkey in Europe, from the shore of the Black Sea, and from all countries situated out of Europe, with the exception of Algeria (Art. 8). For all vessels other than those above mentioned, a bill of health is not required, except *in time* of an epidemic existing in the country, or in the neighbourhood of the country, from whence the vessel comes (Arts. 9 & 10). In foreign countries, the bill of health for French vessels bound for France, is given by the French consul of the port of departure, or if there be no consul by the local Authority. Foreign ships bound for France, can obtain their bill of health from the local authority, but in this case it must be *viséd* by the French consul (Art. 14). The bill of health delivered at the port of departure, must be *viséd* at every port touched at, and must be preserved until the port is reached, for which the vessel is bound. It is the duty of the master not to give it up; therefore, if the ship touches anywhere, the French consul of that port must merely affix a *visé* to the bill of health, mentioning the sanitary state of that port; but neither the consul, nor the local authority, may withdraw the bill of health or replace it by another (Art. 15). A vessel may have but one bill of health (Art. 17). A bill of health is only available if it has

been delivered within forty-eight hours, before the departure of the vessel (Art. 18). The master of a vessel without a bill of health, when he ought, on account of the port from whence he comes, to be provided with one, or having an irregular bill of health, becomes on his arrival in a French port subject to the disabilities of Article 14 of the law of March 3rd, 1822, without prejudice to the quarantine, which the vessel may have to undergo, on account of coming from such a port, nor to the punishment, which may be inflicted in case of fraud (Art. 19).

*Form of a Bill of Health.*

"FRENCH REPUBLIC.

"We, , health officers at , certify that the vessel hereinafter mentioned leaves this port, under the following conditions, duly verified :—

Name of vessel	Cargo
Description of vessel	Sick on board
Flag	State of health of vessel
Tonnage	State of health of crew
Cannon	(bedding, clothes, &c.)
Belonging to the port of	State of health of passengers
Bound for	Food and various provisions
Name of captain	Water
Name of surgeon	
Crew (all told)	
Passengers	

"We certify, moreover, that the state of health of the

**France.** country and its neighbourhood is , and that we  
do verify case

Of { Indian cholera  
Yellow fever  
Plague

" In witness whereof, we have delivered this bill of  
health to , the of the month of  
18 at o'clock of the

The grantor of the bill of health.  
The officer of health."

L.S.

All local rules of practice are bound to be in harmony,  
with the above general rules. The practice which has  
formerly been followed, in some of the larger seaports  
of France, may, naturally, be expected to revive should  
occasion require it, subject always to a modification by  
the general rules. The practice of Bordeaux, Brest,  
Rochefort, Havre and Marseilles, until the year 1876,  
will be shown hereunder.

The French Government decided, early in the year  
1879, that vessels arriving in French ports from the Black  
Sea, or from any part of the Ottoman Empire, should  
be considered and treated as *suspected*, until further  
orders. Therefore, such vessels will be subjected, even  
when they have clean bills of health, to the regulations  
which apply to vessels having foul bills of health on  
account of the plague.

#### BORDEAUX.

The following has been the practice at Bordeaux :—  
The sanitary physician was obliged to visit the sick in

quarantine, whether on board ship or in the lazaret ; and **France.** he was liable to be put in quarantine himself, if the case required it. When disease had rendered quarantine necessary, the attendance was gratuitous ; under other circumstances a charge was made. No inspection was required to ascertain the state of a vessel before giving her free pratique. If the vessel was in such a filthy state as to compromise public security, the Director of Health was empowered to have her washed, scraped, and cleansed, to have the cargo removed if necessary, and to cause the hold, &c., to be ventilated. These measures would be adopted before granting free pratique. There was no special officer for visiting ships, before granting clean bills of health. The Controller of Customs, charged with the delivery of them, generally contented himself with the assertion of the captain. If bound to any country where the yellow fever prevailed, the captain was to give a detailed account of the accommodation provided for the passengers and crew, and of the stores of all kinds, whether provisions or medicines, for the use of all on board. He was also to have a certificate, from some known doctor, of the healthy state of the vessel, and of all the persons intending to sail in her.

There is a lazaret in the Gironde on the shore.

In 1823, a sanitary cordon was established on the Spanish frontier when the yellow fever existed in Barcelona.

#### BREST AND ROCHEFORT.

All vessels, arriving with clean bills of health, were formerly admitted to free pratique. Ships might exceptionally be subjected to sanitary measures, when they

**France.** were not in a good hygienic condition, or when a sickness, presumed to be contagious, was on board. Vessels with foul bills were mostly admitted to pratique, when the crews and passengers were in good health. There must have been serious motives to cause them to be sequestered: the exception was very rare.

The lazaret is on the island of Treberon. Merchant ships are granted all desirable facilities for carrying out the measures, ordered by the sanitary authorities. There are large sheds for the ventilation of merchandise. A medical officer from the naval hospital, or from the guard-ship, would be sent to visit the sick on board a vessel in quarantine, which had not a medical officer on board. All ships performing quarantine were visited, and if they were in bad condition, they were ventilated and limewashed. No previous inspection formerly took place, although the sanitary condition of the ship, crew, and passengers, quality of provisions, water, &c., were specified in the bill of health.

#### HAVRE.

It would seem that it was chiefly against the risk of the importation of yellow fever that quarantine measures were directed.

As soon as the decree of the Senate declaring any port infected, or suspected, was rescinded, free pratique was immediately granted to arrivals from such port. There neither was nor is any lazaret at Havre, but only a quarantine station to which vessels liable to quarantine at Dieppe and other northern ports are still sent, and medical assistance is provided at the public cost. The master, under oath, reports the state of his ship, and the rules of

sanitary service are put in force. No bill of health was **France.** granted to any French merchant vessel without an attestation of the surgeon, or, if there was no surgeon, of the captain, certifying the good sanitary condition of the ship, the health of the crew and passengers; the quality of the water, and of the provisions on board. The health officer of the port might satisfy himself on these points, by a personal inspection, when he deemed fit. The bill of health, and state of provisions, &c., were attested by a medical officer, or by the master.

#### MARSEILLES.

Quarantine was never imposed here, unless a vessel brought a foul bill of health. The duration of quarantine, when the plague was apprehended, was from ten to fifteen days; in the case of yellow fever, from three to seven days; and in case of cholera, the quarantine was optional or discretionary, and varied from three to five days, allowance being made for the length of the voyage. In the event of small-pox, typhus, or any other disease supposed to be transmissible, quarantine was applicable only to the vessel, and not to the country from whence she came. The duration of the quarantine in such cases was regulated by the persistence of the malady on board, or amongst the passengers landed at the lazaret. In some exceptional cases, steam packets, arriving from the Levant with no medical man on board, were subjected to eight days' quarantine. No difference was made in the treatment of vessels of war or of merchant ships. On leaving French ports, the former were exempted from health visits on board. Persons of all ranks were subjected alike to the sanitary regulations.



**France.**

The cessation of quarantine occurred, upon the receipt of an authentic declaration stating the disappearance of the malady, after thirty days for the plague, twenty days for yellow fever, and ten days for the cholera.

The lazaret consists of establishments on an island two and a half miles distant from the port, and from which the public is entirely excluded. Merchandise is landed at the lazaret for purification by various means, such as exposing it to the dew, ventilation, immersion, and chloruretted fumigations, according to the nature of each case. The opening out of the goods, the washing of the effects, the cleaning of the ship, the incineration or the immersion of the infected substances are likewise practised. The goods subjected to these processes are chiefly clothes, drills, hides, feathers, wool, silk, horsehair, and remains of animals. Quarantine is discretionary for articles made of cotton, flax, or hemp. Invalids in quarantine are landed and attended by the lazaret doctor. Invalids who are not poor have only to pay for any extraordinary expenses, but nothing on account of the sanitary service. The poor are fed gratuitously. A medical visit is made on the arrival of every suspected vessel. The state of every ship is registered, on the leaving of all vessels from the port, and examination is prescribed by the regulations; the results thereof are stated in the bill of health.

A case of the evasion of quarantine at the port of Marseilles in 1843, led to a condemnation to five years' imprisonment. Since 1720, sanitary cordons have not been adopted, unless in a few rare cases where the isolation of the shipwrecked seamen or deserters, on their way to the lazaret, has been ordered.

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**ALGERIA.**

As in the other ports of France in the Mediter- **France.**  
ranean, the quarantine regulations now in force in the  
colony are based on the Regulations of February 22,  
1876. Under ordinary circumstances, no difference  
seems to be made with respect to quarantines imposed  
in favour of any vessel or persons.

**TAHITI.**

Vessels arriving at this port, are not allowed to have  
any intercourse either with the shore or the shipping,  
until they have been first visited or questioned by the  
port authorities, and free pratique has been granted to  
them. If there should be any disease on board of a  
vessel arriving, or should she be suspected, she is liable  
to such quarantine and sanitary measures as may be  
deemed necessary by the health authorities; but no  
special law for regulating the performance of quarantine  
has hitherto been enacted; and it appears that since the  
French occupation in 1843 no actual quarantine has  
been imposed at Tahiti.

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**GERMANY.**

The German Empire contains but few seaports. The  
principal ports in the North Sea are Hamburg, Bremen,  
Elsfleth, Papenburg and Geestemünde; on the Baltic,  
there are Stettin, Dantzig, Rostock, Stralsund and some  
others of less importance. The German quarantine  
regulations have reference chiefly to vessels arriving from  
the Mediterranean and Levant, where the plague or

**Germany.** yellow fever may be raging at the time of their departure, and to vessels having had any malignant disease, on board, during the voyage. The quarantine varies in duration, according to circumstances. Strict or foul quarantine for the Baltic, is only performed at Käsö. In cases of yellow fever, vessels are admitted at once, if no case of the disease has occurred on board within ten days after arrival ; otherwise, they must remain at the station until that period be completed. Vessels proceeding to Hamburg, are inspected on their arrival at Cuxhaven, before they may proceed up the Elbe, or have any communication with the shore. The medical officer orders such means, as he may consider necessary, to remedy any defects in the ventilation or cleanliness of ships. The form of quarantine principally recognized in Germany is that of observation, but even that is seldom practised. In 1837, arrivals at Hamburg from Lisbon, where the yellow fever was raging, were ordered to undergo quarantine, but the order was not enforced. Between the years 1855 and 1860, not a single vessel was detained in any sort of quarantine in the ports of Stettin, Dantzig, or Hamburg, although the average annual arrivals from abroad at Swinemunde, the outport of Stettin, amounted to 2,000, and those arriving at Hamburg to 5,000.

The following Ordinance concerning restrictions on the importations from Russia, was published at Berlin, the 30th January, 1879 :—

“ We, William, by the Grace of God, German Emperor, King of Prussia, &c.

“ Ordain, in the name of the Empire, with the consent of the Federal Council, as follows :—

“ 1. To prevent the introduction of contagious diseases,

the importation of the articles hereinafter mentioned, **Germany.** from Russia over the frontier of the Empire, is prohibited until further notice.

“Body and bedlinen that have been used, apparel that has been used, rags of all kinds, paper refuse, furs, furriers’ goods, hides, skins, half dressed, and soft, dressed goat leather and sheep leather, bladders, guts, either fresh or dried, salted guts (catgut), felt, hair (including that called Zackelwool), bristles, feathers, cavaire, fish, and sarepta balsam.

“2. The prohibition contained in section 1, is not applicable to linen, wearing apparel, and other travelling effects which travellers carry with them for their use.

“The Chancellor of the Empire is authorized to direct to what extent, and in what manner, such articles are to be disinfected.

“3. The importation of sheep’s wool is only allowed after previous disinfection, that is, if the importation be not altogether forbidden by orders of the provincial authorities.

“If the sheep’s wool for importation has been washed at the manufactory, the disinfection is to be restricted to the packing.

“4. The present Ordinance comes into force on the day of its promulgation. As witness our own Imperial Signature, and the Imperial Seal hereto affixed.

“Given at Berlin, January 29, 1879.”

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## GREECE.

Syria, Alexandria, and Barbary are ordinarily in quarantine, as well as other ports communicating with

**Greece.**

the above places, when, perchance, the suspicion of sickness exists. The diseases for which quarantine is imposed, are cholera, plague, small-pox, and yellow fever. The quarantines for persons, are five, twelve, or twenty-one days, and for goods, eight, fifteen, or twenty-eight days. By a Royal decree of March 1856, very stringent regulations were issued respecting vessels infected with typhus, on arriving from a place where that fever prevailed on departure. No difference is made between men-of-war and merchantmen; but the former, as well as yachts, have this advantage, that having no merchandise on board, the quarantine can only date from the time of arrival, and not, as with merchantmen, only from the time of the landing of the cargo. No exception is ever made in favour of any passengers, and even His Majesty the King of Greece has had to conform to the laws. But during the Russian War of 1854, there being a military occupation at the Piræus, the French authorities forced the health officer to give *pratique* to Prince Napoleon. There is no doubt, also, that the Health Office can do what it likes. Thus, in 1850, when Admiral Parker's squadron hove in sight, the Quarantine Board suddenly came to a decision, and put the Piræus into quarantine. It is a general opinion in the Levant, that political motives are often at the bottom of the measures taken in respect of quarantine. It must be eight days, after the date of the official declaration of the ceasing of a malady, before clean bills are given here, and the same number of days, after a disease has been declared to have ceased at a foreign port, before arrivals from such a port are admitted to *pratique*. The Greek authorities are much guided on this subject by the reports of their consuls. Cargoes are landed at the lazaret, they are

opened and aired. Copper and lead are immersed in **Greece.** water, and coins in vinegar. Letters are fumigated. Non-susceptible goods are grain, iron, coals, oil, paints, wood, barrels and staves, liquids, and wines and spirits, bottles without labels, &c. The *spoglio* is abolished. There is a Government medical officer, who charges for attendance on the sick, according to a moderate tariff. There is also a priest belonging to the lazaret, but other doctors and priests would, on application, be allowed to attend. Before a vessel receives a clean bill on leaving, the medical officer rarely inspects the vessel, but always the crew. The sanitary penal laws breathe nothing but death, or perpetual banishment, and terms of imprisonment for infractions of the quarantine laws; but in practice, fines have been substituted, and these are inflicted very laxly. The existing Sanitary Law of Greece, *Υγειονομικός Νόμος*, is dated 25th of November, 1845 (old style), and is based on the French Law of the 3—9 March, 1822, and on the ordinances of 7—14 August, 1822, and 18—24 April, 1847. There are also the Royal Greek Ordinances of 1845 explaining the application of the above law. But, various new regulations have been introduced from time to time. Excepting in the case of the cholera in 1854, Athens has not been directly cut off from communication with other places; and when this was the case, it proved quite ineffectual by the fact of the cholera, nevertheless, breaking out afterwards. There is a perpetual cordon on the northern frontier of Greece, but it is worse than useless, as it is quite impossible to guard this extent of frontier. Registers are kept of vessels that are placed in quarantine.

## THE IONIAN ISLANDS.

**Greece.** The lazaret is on a separate island,  $2\frac{1}{2}$  miles N.W. from Corfu, furnished with a cistern of good water, and a church. Its buildings offer sufficient accommodation for passengers and for the expurgation of susceptible goods.

Besides the lazaret at Corfu, the other Islands are provided with similar establishments. The accommodations in all of them are sufficiently good and commodious, for the few passengers who consummate their quarantine in the smaller islands.

Some of these lazarets have been at times, described by travellers, as utterly unfit for the purpose.

During the British Protectorate of the Ionian Islands, the regulations at Corfu were in some respects based on the remnants of the old Venetian law. Arrivals, from places where perfect health was generally enjoyed, or when furnished with clean bills of health, were always admitted to pratique; the diseases which rendered all arrivals, without exception, whether sick or well, from a place or country where such diseases were existing at the time of departure, subject to quarantine, were plague, cholera, yellow fever, small-pox, typhus fever, leprosy, &c.

The quarantine varied from five to twenty-eight days.

If the above-named maladies, and others of a suspected nature, occurred on board a vessel during the voyage, quarantine, varying according to circumstances, was imposed.

No difference, in the period of quarantine imposed, was made when a medical officer was on board the vessel. For ships of war the days of voyage were calculated in the period of quarantine, and in the event of the

arrival of Royal personages, &c., a few days' grace was ~~Greece~~. sometimes granted.

When the cessation of a disease in the port of departure had been officially certified, the arrivals from such place were admitted to free pratique after a medical visit, a few days after the total disappearance of any sickness of a contagious nature, and in consideration of vessels having been furnished with a clean bill of health by the local authorities.

Articles deemed susceptible, were those composed of the following materials, viz., wool, leather, linen, hemp, cotton, raw silk, paper, &c. These were handled and ventilated daily at the lazaretto, during the period of their quarantine, by expurgators sent from the town, under the superintendence of a sanitary guardian.

When sickness occurred on board a vessel in quarantine, the proto-medico and assistant proto-medico were bound to render medical assistance, in their capacity of public medical officers, for which they received a yearly salary from the Government.

Previous to the granting of pratique, the vessel was visited by a medical officer, and the sanitary guardian had orders to ventilate, and handle, daily the wearing apparel and bedding of the crew and passengers, as well as to cleanse and fumigate the vessel.

No sanitary inspection of a vessel was ever made before the granting of a clean bill of health.

Since the year 1816, when the plague broke out in the district of Lefchimo, in Corfu, and which was prevented from spreading by sanitary cordons having been formed and other measures taken, no malady of a similar nature has manifested itself in these islands.

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**HOLLAND.****AMSTERDAM AND ROTTERDAM.**

**Holland.** The quarantine regulations in Holland, consist merely of private instructions, issued by the Minister of Marine to the inspector of quarantine at the Texel, where vessels have to be examined, to ascertain that no deaths have occurred on board during the voyage. The quarantine regulations of this country, may be considered almost a dead letter. Ships of war are not inspected by the quarantine officer, but the captain is required to send a declaration of the sanitary condition of all on board, upon arrival, to the commandant of the port. Whenever an infected port is declared free from disease, free pratique is granted at once, to arrivals therefrom. Medical assistance is provided by the quarantine officer, at the expense of the vessel. At Amsterdam, bills of health are granted by the burgomaster, respecting the sanitary condition of the city. At Rotterdam, vessels are previously inspected, and a certificate given to the captain.

**BATAVIA.**

No information has been obtained of the existing quarantine regulations.

**CURAÇOA.**

Quarantine is imposed against yellow fever, measles, small-pox, cholera, and all contagious diseases. If sickness exists on board, the quarantine is for forty days; if not, the quarantine of observation is from one to ten days or longer, if considered proper by the medical com-

mittee. A period of forty days must elapse, after the last **Holland.** case of sickness, in an infected port, before free pratique is granted. There is no regular lazaret.

#### SURINAM.

The quarantine for small-pox is from ten to thirty days, for cholera forty days, for yellow fever fourteen days, after recovery. There is a lazaret on shore. Medical assistance is provided for the sick on board vessels in quarantine, by the man-of-war stationed in the river, at the public expense. When vessels in quarantine are found to be unwholesome, both here and at Curaçoa, they are ordered to be ventilated and fumigated, but no inspection takes place before bills of health are granted. By a Royal Proclamation of May, 1843, infractions of the quarantine laws "shall, according to circumstances, be punished with death, or with such other punishment as approaches thereto."

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#### ITALY.

By the law of June 30, 1861, No. 64, the International Sanitary Convention of Feb. 3, 1852,<sup>60</sup> approved by the law of the 2nd of December of the same year, has full force in all the provinces of the kingdom. The execution of the law depends on the Minister of Marine, and is under the direction of the Minister of the Interior. Also, by this law, the penal law concerning the health of persons at sea, dated 31st of July, 1859, is extended to the whole of Italy.

<sup>60</sup> See *ante*, p. 343.

**Italy.**

The law of 13th of May, 1866 (No. 3,368), makes some alterations as to the carrying out of the law of 1861, by the local authorities.

Another law of the 16th of December, 1866 (No. 3,391), regulates the quarantine stations, and divides them into four classes. On December 24, 1870, further regulations (No. 6,174), were passed on the same subject. It is to be noticed that since the other States, who adhered to the above International Sanitary Convention, refused to renew it (after the expiration of the first five years for which it was entered into), the Convention has only the force of a Municipal law.

A Royal decree (No. 2,120) of 6th September, 1874, modified by a further Royal decree (No. 3,634), of 14th January, 1877, approves of new regulations to be subscribed by the Minister of the Interior, for the execution of the Sanitary Law of 20th March, 1868. The powers of the Minister of the Interior extend to all acts of public administration concerning public health. Nevertheless he submits to the examination of the Superior Sanitary Council all questions on which he may think it useful to have an opinion, and which relate to the sanitary precautions of the Administration.

The Minister of the Interior alone has power—

- (a.) To forbid on an outbreak of cattle disease, the introduction from foreign States, bordering on the interior of the kingdom, of beasts, and of skins, wool, horns, hoofs, and bones suspected of infection.
- (b.) To rescind the regulations of public health, approved by the Provincial deputations, in the cases and in the manner provided by Art. 138

of the law on the Communal and Provincial **Italy.**  
Administration.

- (c.) To hold correspondence with the Royal Consuls abroad, concerning sanitary matters within the limits of the Regulations.

The Superior Council of Health is specially consulted on quarantine, and on the sanitary service which concerns the same.

As a matter of practice, the quarantine for vessels with yellow fever, is determined by the Government when there is sickness on board, but it does not exceed fifteen days. Vessels in a healthy condition are at once admitted to pratique. The same rule applies to plague and cholera. In the case of fever, when there has been sickness on board, pratique is suspended until directions are received from the authorities.

#### *ORDINANCE OF MARITIME HEALTH.*

No. 3. February 6, 1879.

“The Minister of the Interior:—In view of the law upon public health of the 20th of March, 1865, section C, and the instructions of the 26th of December, 1871; in view of the Ordinances of Maritime Health, Nos. 5 and 6, of the 14th and 29th of April, 1878, by which the importation into the Kingdom of rags, old clothes, and unwashed linen coming from the ports of the Black Sea and Sea of Azov, of the Ottoman Empire, of Greece and Montenegro, was prohibited; in view of the Ordinance of the 3rd inst., No. 2, by which a rigorous quarantine of seven days was imposed upon

**Italy.**

ships coming from the Black Sea and Sea of Azov; decrees :—

“ 1. The quarantine of seven days imposed by the above-mentioned Ordinance of the 3rd inst., for arrivals from the Black Sea and Sea of Azov, is prolonged to twenty days, and is from to-day extended to arrivals from the ports of Greece, Montenegro, and the Ottoman Empire, including Egypt, Tripoli, and Tunis.

“ 2. The prohibition of the importation into the kingdom of rags, old clothes, and unwashed linen, prescribed by the above-mentioned Ordinances, Nos. 5 and 6 of 1878, is from to-day extended, as regards arrivals from places mentioned in the preceding Article, to the following objects :—

- (a.) Furs and furriers' stuff, skins and leather of all sorts.
- (b.) Bladders and entrails, fresh and prepared, feathers, bristles, hair, and all animal produce in general.
- (c.) Dried, salted, or smoked fish, and its produce.
- (d.) Hair, silk, stuff, silk cuttings, and refuse of paper.
- (e.) Felt, wool, and cotton.

“ 3. The Ministry reserves to itself the right of determining, according to circumstances, the treatment to be applied to merchandise which may have left the above-mentioned ports before the 4th inst., as also of admitting, in an exceptional manner, even in future, to the lazarettos, which may be properly adapted for the purpose, the less susceptible kinds of merchandise, after the disinfection which may be prescribed. The Prefects of the Maritime Provinces of the Kingdom are charged with the execution of the present Ordinance.”

Packages containing goods, included in the first category of the above Ordinance, cannot be admitted into the lazaretto at Venice, and consequently, vessels having such goods or packages on board are precluded from entering that port.

*FORM OF A CONSULAR BILL OF HEALTH.*

ITALIAN CONSULATE.

“We, \_\_\_\_\_, Consul of His Italian Majesty at \_\_\_\_\_, fully attest that the underwritten ship leaves \_\_\_\_\_ in the following condition duly verified:—

Name of the vessel	Crew, including the master
Class	Passengers
Flag	Cargo
Tonnage	Sick persons on board
Cannon	Sanitary state of the vessel
Belonging to the port of	Ditto of the crew
Bound for	Ditto of passengers
Name and surname of master	Provisions and food on board
Ditto of the surgeon on board	Water

“We attest, moreover, that the sanitary state of the above country and of its neighbourhood continues to be satisfactory, and that there does not exist there, since the (*date*) any verified case, or merely suspected case of the bubonic plague of the Levant, the yellow fever of America, Asiatic cholera morbus, or any other illness which may compromise public health. In faith of

**Mexico,  
&c.**

which, we have given this bill of health, duly subscribed by us, and provided with the consular seal.

“Given at                   , the           day of the month of  
                                  , in the year 18     .

(Signed)

“Consul. (L.S.)”

A decree of 20th of November, 1870, of the Italian Government, requires all vessels leaving the ports of the United Kingdom of Great Britain for Italy, to provide themselves with a bill of health from the Italian Consular authorities, under pain of the penalties imposed by the Ministerial decree of 29th of April, 1867. The suspension of pratique, however, is limited to twenty-four hours in the case of vessels provided with any other bill of health.

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#### MEXICO, CENTRAL AMERICAN REPUBLICS, &c.

There is no legislation in Mexico respecting quarantine; the Board of Health of Vera Cruz has unlimited authority. When a vessel arrives, without a bill of health, she is usually sent to Green Island, for a week or ten days before she can enter the harbour. If any case of serious disease has occurred during the voyage, the ship has to perform a quarantine, the duration of which is measured by the gravity of the case; usually from ten to twenty days. Cases of small-pox, and cholera, are never overlooked. All other diseases are generally dealt with more leniently.

The absence of all quarantine regulations applies generally to the ports of Panama, Guatemala, and also

to Galveston and San Francisco. Quarantine regulations were formally abrogated in 1850 in the Republic of New Grenada, whose chief port is Carthagena, by a resolution of the legislature assembled at Bogota. This abolished quarantine, sanitary cordons, or every other measure which, it was alleged, under pretext of preventing the introduction or propagation of any disease, might prevent the free transit in the interior of New Grenada, or between that and foreign countries.

In St. Domingo no organized regulations exist. In 1851, when the cholera raged in Jamaica, the Government ordered the visitation of vessels arriving from any of the neighbouring islands.

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#### PORTUGAL.

The existing quarantine regulations are founded on a Royal decree of November, 18, 1874. The conclusions of the International Sanitary Conference, held in Paris in 1851-52, were formerly adopted, at least for the most part, but have been discontinued. The regulations were of extreme stringency, and were carried out with much rigour. In no country is so vigilant and strict a surveillance kept up, at all times, over every part of the world as in Portugal. Scarcely a fortnight passes by, without some place or country being announced to be suspected of, or infected with, a disease declared to be infectious, and a longer or shorter detention being imposed on all arrivals therefrom.

The Sanitary Maritime Service may classify ports with regard to their sanitary condition, and declare "infected," those that exhibit epidemics of a contagious character, and "suspected" those who have frequent



**Portugal.** communication with infected ports. The term "infected" or "suspected" affects a port, five days previous to the appearance of the first case of yellow fever, or cholera, and eight days previous to the first case of plague. No infected port can be declared clean until after the expiration of thirty days, without any alteration of public health, in the case of plague; of twenty days, in the case of yellow fever; of fifteen days, in the case of cholera. Vessels bound for Portugal, or adjacent islands, should have bills of health from a Portuguese consul; or, where there is none, from a British, French, Spanish, or Italian consul; or where there are none, from any consul of a nation in amity with Portugal. Visits are made, by the health officers, at the following ports:—Albufeira, Angra, Aveiro, Belem (Lisbon), Caminha, Cascaes, Cezimbra, Ericeira, Espozende, Faro, Figueira, Funchal, Fuzeta, Horta, Olhao, Pedreneira, Peniche, Portimao, Ponta-Delgada, Porto, Pova de Varzini, Sagres, S. Martinho, Setubal, Sines, Yavira, Vianna do Castello, Vella do Conde Vella, Nova de Milfontes, and Vella Real de Santo Antonio. Strict quarantines are only permitted in ports which have a lazaret. All vessels are interrogated by the health guards, and if there is no motive in enforcing quarantine, free pratique is granted; if quarantine is enforced, the chief officer of the health station orders the captain to cast anchor in the quarantine grounds, and the captain proceeds to the health station to sign the *procès-verbal*. There are three sorts of quarantine:—complimentary, of observation, and strict. *Complimentary* quarantine, is that which persons and vessels in ballast make during a period sufficiently long, to insure that from the date of departure from their port, twelve, ten, or eight days have elapsed, according as plague,

yellow fever, or cholera, may be in question. Complimentary quarantine can be made on board, or at a lazaret. The luggage is always purified, but vessels are not subject to cleansing. *Quarantine of observation* is enforced on vessels, persons, luggage, and susceptible cargoes, for yellow fever, or cholera, five days; for plague, eight days. In case of cholera, when the voyage has lasted seven days, and a good state of health on board is certified by the doctor of the vessel, the observation of persons is reduced to twenty-four hours, if the hatchways of a vessel on arrival are found closed. The quarantine of observation does not enforce the discharge of the cargo, but only the removal of part to the deck or to lighters, and to purification. *Strict quarantine* is what vessels, persons, luggage, and susceptible cargoes undergo for seven, eight, or twelve days, according to whether it be cholera, yellow fever, or plague. Such quarantine can only be undergone at ports where there is a lazaret. Passengers, luggage, and susceptible cargoes are removed to a lazaret; the luggage, cargo and vessel are completely disinfected. A quarantine day is twenty-four hours complete.

The following articles are considered liable to infection :—

1. Cotton, raw or manufactured.
2. Hair, in its natural state, or manufactured.
3. Hemp, rough or undressed or manufactured.
4. Letters, journals and closed papers.
5. Raw hides, dry or manufactured.
6. Horsehair in its natural state or manufactured.
7. Undressed animal skins, or fragments.
8. Wool, manufactured or unmanufactured.
9. Flax, undressed or manufactured.

**Portugal.**

10. Skins, undressed or manufactured.
11. Feathers, in their natural state or manufactured.
12. Raw or manufactured silk.
13. Sumahuma.
14. Vegetable hairs.
15. Hay and herbs pressed, or in bales.

Vessels from a clean port, with a clean bill of health, are admitted to free pratique except :—

(1) When a disease has broken out on board; (2) when the sanitary officer knows that at the port touched at, cholera or yellow fever has declared itself five days, or plague has declared itself eight days after the departure of the vessel; (3) when the nature of the cargo, overloading, or infection of the same requires the vessel to remain under observation.

A vessel proceeding from a clean port with a foul bill of health, is considered to be from an infected port. A vessel from a port declared suspected, and on board which any suspected illness has broken out, must undergo strict quarantine. A vessel from a port declared suspected, if carrying a foul bill of health, or if cholera or yellow fever has broken out five days before the sailing of the vessel, or plague eight days before such sailing, is considered infected. A vessel from a suspected port, having a clean bill of health, if the doctor of the vessel certifies that no suspected illness has appeared during the course of the voyage, or whilst in port, is considered as coming from a clean port, provided that the Consul in such port informs the health officer, by telegraph, that no case has appeared in such port of cholera or yellow fever on any of the five days, or of plague on any of the eight days, after the sailing. In the

absence of such information the vessel shall be subject **Portugal.** to observation. All vessels coming from an infected port are liable to strict quarantine, except (1) a vessel arriving in ballast, and without any case of death during the voyage, is only subject to observation ; (2) a vessel arriving in ballast when the doctor of the vessel certifies that no case of disease has occurred on board, free pratique shall be granted her if the voyage has lasted more than twelve days, when the port is infected with plague, or more than ten when with yellow fever, or more than eight when with cholera ; (3) a vessel which has had no illness during the voyage, certified by the doctor, and carries a clean bill of health, in which it is declared that the illness which infected the port has ceased thirty, twenty, or fifteen days before the departure of the vessel, according as it has been plague, yellow fever, or cholera.

Quarantine is dispensed with in all cases where an epidemic of equal gravity, exists in the port of arrival.

Vessels which arrive at ports, where quarantine cannot be undergone, must proceed immediately to quarantine stations ; but a physician may be taken on board, or a sick person, dangerously ill, may be landed. During the months of December, January, and February the quarantine of *persons* only, for yellow fever, is withdrawn. On the 1st December free pratique is granted to all persons who, evincing no suspected illness, are detained in quarantine for yellow fever. This exception does not have effect at Angra, Faro, Funchal, Horta, and Ponta-Delgada. National and foreign vessels of war are exempt from dues ; the expenses of disinfecting the same, if necessary, are charged to their respective Governments ; health guards will not be sent on board them, unless request be made for them. If during the

**Portugal.** quarantine of any vessel, a suspected disease is manifested, the quarantine must recommence. The captain of a vessel who arrives at any Portuguese port, without a bill of health from the port whence he sailed, or without *visàs* from the ports where he called, incurs a penalty of 10\$000 *rêis*<sup>61</sup> for each hundred tons, when none of the ports he touched at were suspected of plague, yellow fever, or cholera, and double this fine when the ports were so infected; these penalties in the first case are not to exceed 100\$000 *rêis*,<sup>62</sup> or in the second case 200\$000 *rêis*.<sup>63</sup> Any person leaving a lazaret before his quarantine has elapsed is liable to thirty days' imprisonment and to a fine of 20\$000 *rêis*.<sup>64</sup>

With respect to quarantine measures by land, while the cholera, in 1855, was marching on along the course of the river Tagus towards Lisbon, a sanitary cordon was established to prevent all persons having any ailment whatever, and coming from an infected place, from entering the city.

#### MADEIRA.

The quarantines in Portuguese colonies are altogether under the control of the Lisbon Board of Health. All arrivals with a foul bill from places infected with yellow fever, cholera, small-pox, and measles are subject to quarantine, not only while the port of departure continues infected, but even after clean bills have been issued therefrom, and until orders have been received from Lisbon to grant free pratique. Quarantines of observation vary in duration with the instructions received from Lisbon from time to time. No relaxation

<sup>61</sup> *i.e.*, £2 4s. 5½d.

<sup>62</sup> *i.e.*, £44 8s. 7d.

<sup>63</sup> *i.e.*, £22 4s. 3½d.

<sup>64</sup> *i.e.*, £4 8s. 10d.

or exception is made in favour of foreign ships of war **Portugal.** or yachts ; and no difference made whether a medical officer is on board or not. In the autumn of 1857 the health authorities in Madeira refused to allow the landing of any passengers from the Royal mail steamers if any person had been taken on board at Lisbon, where the yellow fever then existed, although the vessel had remained quite free from sickness. The result was that all the passengers bound for the island, chiefly invalids, who intended wintering there, were obliged to go on to Brazil, and thus return to England as they could. Previous to that period, and when passengers in quarantine were sent to the lazaret on shore, they often suffered more inconvenience and distress from the bad accommodation provided in the building.

#### AZORES.

The same regulations are enforced at St. Michael's as at Madeira.

All vessels infected, on arrival, with small-pox, scarlatina, or typhus, are not allowed to communicate with the island, even for the purpose of procuring water or fresh provisions, until they have performed quarantine at Lisbon, or other accredited lazaret.

#### CAPE DE VERDE ISLANDS.

All vessels having a foul bill of health from a port or country where either typhus, cholera, or yellow fever exists, that they have had deaths during the voyage, or that have persons sick of the same disease on arrival, are refused entry into the ports of the province, and no communication is permitted with its territories until a

**Roumania.** rigorous quarantine has been performed at a regular lazaretto. If no case of sickness has occurred during the voyage, or exists on arrival of the vessel, a quarantine of observation of from three to fifteen or twenty days, or longer, is imposed. In the event of any case of the disease occurring during the quarantine of observation, the vessel is compelled immediately to go out of the province.

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#### PERU.

No information has been obtained of the existing quarantine regulations.

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#### ROUMANIA.

##### GALATZ.

The quarantine on vessels arriving in the Principalities was taken off in 1854. Quarantine was first put in force in the Principalities in 1829 or 1830, at the Peace of Adrianople; it was framed after the Russian system, and was under the influence of Russia. Since the quarantine has been taken off, the lazaretto has been allowed to go to ruin. But new and stringent regulations are at this moment in force. However, they have not yet been published in the *London Gazette*. It would appear that the European Commission of the Danube retain some powers in regulating quarantine in the Danube. The 53rd Article of the Treaty of Berlin, 1878, enacts that they shall continue in the discharge of their duties, and exercise the same thenceforth, as far as Galatz, in complete independence of the territorial authorities.

And their public Act of November 2nd, 1865, decrees **Roumania**.  
that—

“The sanitary measures applicable to the mouths of the Danube shall continue to be regulated by the Superior Board of Health instituted at Constantinople, and in which the various foreign missions accredited to the Sublime Porte are represented by delegates. These measures shall be framed so as to conciliate in a just degree security for the public health with the requirements of maritime commerce, and they shall be based, as far as possible, on the principles laid down in Articles 19 and 20 hereinafter” (s. 18).

“Vessels descending the Danube shall be free from all sanitary control ; it shall be the same for vessels entering the river from the sea, as long as there shall be no contagious pestilence prevailing in the East. These vessels shall be simply bound to produce their bill of health to the authorities of the port where they shall anchor (s. 19).

“If a contagious pestilence happens to break out in the East, and if it is judged necessary to put in force sanitary measures on the Lower Danube, quarantine may be re-established at Sulina. Vessels entering from the sea shall be bound in this case to perform quarantine at Sulina, and if the pestilence has not invaded the provinces of Turkey in Europe, they can be subject to no other sanitary control in ascending the river. But if, on the contrary, the pestilence invades one or any of the Riverain provinces of the Danube, quarantine establishments shall be instituted wherever there shall be need on the part of the river which traverses the territory of Turkey” (s. 20).

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## RUSSIA (BLACK SEA, &amp;c.).

## SOUKUM KALE.

**Russia.**

The diseases which render arrivals here subject to quarantine are plague, and all other diseases of a typhoid nature. It varies from four to fifteen days, according to the extent and malignancy of the sickness. No difference is made in favour of merely having a medical officer on board, but a distinction is made in favour of men-of-war and yachts. There is a lazaret. No inspection is ever made of vessels before granting bills of health.

## TAGANROG.

This is a pratique port. The nearest quarantine station is at Kertch.

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## SAMOAN, OR NAVIGATOR ISLANDS.

There are no quarantine regulations at Apia Upolu. The chiefs of the port apply to the consuls for advice, and assistance, in case a vessel arrives here with any malignant disease on board, and all trust to the consuls, for they are the only parties who can or do exercise any authority over vessels visiting this port; the chiefs not being willing to interfere, and afraid lest they should get into trouble with any foreign State. In 1853, an American vessel called here, on her way to Sydney, with small-pox on board; and Mr. J. Pritchard, then Her Majesty's Consul, was called upon by the chiefs and foreign residents of Apia to prevent any intercourse between the vessel and the shore.

## SPAIN.

By the Sanitary Law of November 28, 1855, it is **Spain**. enacted as follows :—

“ 29. Quarantines are divided into two classes, one strict and the other of observation. The strict quarantine requires the landing and fumigation of the different articles enumerated in Article 41 ; this must be done in a foul lazaretto. That of observation can be carried out in any port where a lazaretto of that nature exists where it is not necessary that the cargo should be discharged.”

“ 30. All vessels from a foreign port with clean bills of health duly *viséd* by the Spanish Consular Agent, and without any contagious sickness during the voyage, shall be admitted to free pratique without its being visited, and on survey only, unless it should be officially known that some contagious disease exists in the port whence the vessel sailed.”

“ 31. Clean bills of health of the different ports of Egypt, Syria, and other ports of the Ottoman Empire, will be admitted to free pratique in accordance with the previous Articles when that Government has completed its organization of the sanitary service, and established sanitary doctors in such ports as may be judged convenient ; in the meantime, such bills of health will be admitted when ships have *been eight days in their voyage*, if with a doctor, and ten days if without one.”

“ 32. Clean bills of health from the port of the Antilles, the Gulf of Mexico, La Guaira, and Terra Firma, when the vessels have sailed between the 1st of May and 30th of September, on arrival in our ports, will be subject to seven days' quarantine for both persons and ships. The

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quarantine of the former will be reckoned from the time of entry into the lazaretto, and of the latter from completion of the discharge of the cargo."

"As a precautionary measure, notwithstanding vessels may possess a clean bill of health, if the state of health on board is such as to cause suspicion, they may be subjected to the same treatment as if they had a foul bill of health."

"33. A foul bill of health for plague will be subject to a strict quarantine of fifteen days."

"34. A foul bill of health for yellow fever, without any sickness on board during the voyage, will perform ten days' strict quarantine, and fifteen, should there have been any sickness."

"35. A foul bill of health for Asiatic cholera will require ten days' quarantine should there have been any sickness on board, and five days' if the voyage has been free from sickness."

"36. Arrivals from neighbouring or intermediate ports where Asiatic cholera or yellow fever exists, and of those whose quarantine have been less than those formed by this law, are liable to three days' observation, the vessel being subject to hygienic treatment."

"37. Quarantine performed in any intermediate port between that of departure and arrival will be deducted from the time of quarantine in Spain, if the bill of health be duly authenticated."

"38. The Directors in the said port with the Sanitary Boards, may adopt such quarantine measures against typhus fever, small-pox, dysentery, and other contagious diseases, but these exceptional rules are only applied to infected ships, and in no case will compromise the country whence they come. No sanitary rules will be

carried to the extreme of refusing or sending away a vessel *Spain*. without affording it the necessary aid."

"39. The days of quarantine will be understood to be of twenty-four hours. As it might occur that in some of the vessels performing quarantine some suspicious contagious case might present itself, the quarantine will begin to count from the day in which all sickness disappears."

"40. All vessels proceeding from ports where any disease has prevailed, such as plague, yellow fever, or cholera morbus, will continue subject to the respective quarantine some time after their disappearance has been officially declared. The fixed time will be thirty days for ordinary cases of plague, twenty for yellow fever, and ten for cholera."

In consequence of the suggestions sent to the Home Government, by several provincial sanitary authorities, as to the manner in which primitive procedure of vessels, with respect to the Articles 30 and 37 of the Law, and other sanitary dispositions should be understood, on the 30th November, 1872, the following rules were adopted:—

"1. By primitive procedure for sanitary purposes, is to be understood, as a general rule, the port from which a vessel with cargo or in ballast departs, after having completed her previous voyage. 2. In the case of vessels coming from a foul or suspected port, or with their original clean bills of health converted by any circumstance into foul, without their having performed in a foreign or Spanish port the quarantine ordered by our laws, the General Administration, Sanitary, and Penal establishments are authorized to interpret and

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apply the above rule to analogous and special cases, dispensing with rigorous quarantine, imposing precautionary measures, or admitting vessels to free pratique according to circumstances, and having in view the sacred interests of the public health, and respect for maritime commerce. 3. The orders of the Sanitary Laws of the 27th April, 1868, 31st August, 11th and 23rd September, 1871, and 16th instant, as well as any other resolution made and performed with respect to this matter, are abolished. With respect to the former Royal Order, as to primitive procedure of vessels for sanitary purposes, it was resolved, on the 30th May, 1872, that every vessel proceeding from a notoriously foul or suspected port (*Art. 36 of the Law, and Rule 12 of the Royal Order of June 6, 1860*), or having been admitted to pratique in other intermediate ports of this class, and afterwards permitted to completely discharge in a clean port, without undergoing the quarantine established by our laws, and not communicating afterwards with any suspicious or foul port, may proceed on her voyage with uncontagious cargo or in ballast for our ports; if she arrives with a clean bill of health and with good hygienic conditions, and without any suspicious circumstance on board, she will be submitted to three days' observation, with ventilation and fumigation. The same rule and conditions as aforesaid will apply to ships in ballast sailing from any foul or suspicious ports referred to, and then loading in a clean port without touching at any foul port proceeding to Spain, and arriving with the same enumerated conditions."

By Royal Order of the 21st December, 1872, it was declared :—

“In consequence of the many claims of maritime **Spain.** commerce, respecting the sanitary treatment that some special Boards apply to the vessels, that arrive at our ports under certain conditions, the King has been pleased to dispose, confirming the Royal Order of the 27th May, 1858, that all ships sailing from a foreign clean port, bound to another foreign port, shall be admitted to free pratique ; and should these be obliged, from causes expressed in the Commercial Code, to enter the ports of the Peninsula and adjacent islands, shall be admitted to free pratique, if they arrive with clean bills of health, in good hygienic conditions, and without any suspicious accident on board, even when, as is natural, they may not have their bill of health *viséd* by the Spanish Consul, they not being bound to Spain.—To the Governors of the Maritime Provinces, &c.”

By Royal Order of the 17th February, 1876, the Sanitary Head-office informed the Civil Governor of Barcelona that, in virtue of the communication of His Excellency, produced at the instance of Messrs. Ripoll and Co., merchants and consignees of vessels of that city, in which they asked that free pratique might be given to vessels from foul ports that had not performed the quarantine prescribed by the Spanish law, on condition that the cargo should be totally discharged in an intermediate clean port, that the vessel should enter in dock, and employ at least twenty days for the purpose of completely cleaning all parts, and painting, without afterwards calling at any foul or suspicious port, or loading contagious cargo, the Sanitary Head-office saw fit to accede to this petition, if such conditions as aforesaid were observed, and if the vessels were pro-

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vided with a clean bill of health, being also in good hygienic state, and without any suspicious circumstances on board.

For the admittance to free pratique of ships, with clean bills of health, and which have had deaths on the voyage, the following rules have been adopted :—

“Royal Order of the 8th March, 1872.”

“With the object of avoiding the losses caused to maritime commerce, by the circumstances that frequently occur, of death during the voyage of a vessel, the want of accuracy between the number of persons, as stated in the bill of health, and those really on board, and their arrival at our port without the first of the said documents, to facilitate the doubts that may present themselves to these Boards, and in order to conciliate the mercantile interest and protect the public health, the King has seen right to order—

“1. That, notwithstanding what is determined by the Royal Order of the 6th June, 1860, ships with clean bill of health, and having had deaths on board during the voyage, shall be admitted to free pratique on condition that the master proves that death has not been occasioned by contagious disease.”

“2. That vessels shall likewise be admitted to free pratique, when they possess a clean bill of health, and when by accidental circumstances a person may be on board, beyond the number named in the bill of health and register, when it shall be proved by the master of the vessel that the difference in the number of individuals, arises from causes which do not affect the public health.”

“3. The involuntary or inevitable absence of the bill of health being proved by the master, as mentioned in

the Royal Order of the 24th August, 1867, no obstacle **Spain**. shall be put to the free entry of a vessel."

"4. The requirements in the foregoing rules, are understood to apply to vessels coming from clean ports, that may arrive with good hygienic conditions."

"And, finally, that during the time necessary for determining the respective cases of the various vessels, no communication is allowed between them" (*Col. leg. first six months of year 1872*, p. 357).

With the object of avoiding the losses which may be incurred by commerce, in case the authorities of the ports should not give the proper interpretation to the previous Royal Order on the 4th October, 1872, another Royal Order was duly given, viz. :—

"1. When a death has occurred on the voyage of a vessel carrying a doctor, the master will hand to the Sanitary Inspector of the port of arrival, the doctor's log, in which shall appear all the necessary data to form the true diagnosis of the illness, in order to deduce from these if it is contagious."

"Should no doctor be on board, the master, and at least two individuals of those who may have assisted the deceased until his death, will swear before the Director of the Port, secretary, interpreter (if the vessel be foreign), and a medical Board, named by the provincial Sanitary Board, or by the Municipal Board, where the former may not exist, the symptoms they may have observed of the illness which caused the death, so that, with this data, the individuals before whom the declaration was made may testify to the same."

"2. Should there be a difference between the number of individuals on board, and those comprised in the bill



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of health on presentation of the register and log-book, the Director, secretary, and interpreter (if the vessel should not be Spanish), will take a sworn declaration of the master and three witnesses from the vessel, of the cause of the difference, and give their decision thereon."

"In case of the vessel being foreign, the Consul of the nation to which she belongs, will guarantee the personality of the deponents, and when there is no Consul or representative, the consignee of the cargo will give an equal guarantee."

"3. Rule 15 of the Royal Order of the 5th June will be enforced for ships arriving without a bill of health."

"4. From the result of the investigation referred to in Rules 1 and 2, a minute of the same will be signed by the parties."

By Royal Order of the 13th November, 1863, it was directed that sick soldiers and sailors, on embarking in vessels proceeding from places beyond the sea, should provide themselves with a certificate signed by two doctors, wherein it should state with all clearness and precision, the illness they are suffering from, giving particulars of its importance, and, in addition to the document and testimony of the doctors, which ships are obliged to have on board during their voyages, the captains of the same should immediately on arrival affirm that the soldiers and sailors in question had been, or were, suffering from ordinary illness, exempt from all suspicion, and were consequently free from the sanitary precautions to which they would otherwise be subject.

Article 31 has been declared, in an Order of the 26th September, 1873, to have effect in the ports mentioned, as having the sanitary service organized.

Some doubts having been raised in the interpretation *Spain*. of Article 32, it was made known by Circular of the 5th July, 1871, that seven days' quarantine must be accomplished in a foul lazaretto.

By the following Order of the 9th December, 1868, it is declared that iron vessels sailing from the Antilles, Gulf of Mexico, the Guaira and Terra Firma, from the 1st May to the end of September, may be admitted to free pratique in Spain, under the requisite precautions made public, viz. :

"The Transatlantic line of steamers of Messrs. Lopez and Co., contractors of the mail service between the Peninsula and our Antilles (or islands), applied to the Home Government on the 1st instant, showing the great losses they were suffering, and the greater ones the commerce at large were suffering, from the way in which the orders contained in the Chapters VIII. and IX. of the Organic Sanitary Law were applied, obliging the quarantine of observation made by persons and vessels leaving the ports of the Antilles from the 1st May to the 30th September, even with clean bills of health, to be performed on the arrival at the Peninsula in Vigo lazaretto, and last seven to ten days respectively, by persons as well as by vessels, mails and merchandise ; it likewise stated that the inconvenience of said practice, compared with that which is observed in the same seasons and from the same ports in France and other countries of Europe, which, in conformity with the last lessons of science, have suppressed quarantine, of observation, and fixed their attention on the hygienic precautions, have considerable advantage over us, notwithstanding that our steamers make the run in less time

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than the French. It also proved that among vessels losing during those months the transport of passengers through that measure of precaution, the public health did not gain anything, that being perfectly useless for the sanitary rules, as persons and mails from the Antilles and the Gulf of Mexico had arrived in our country without quarantine from St. Nazaire.

“The correctness of these statements having been taken into consideration, and, without violating the spirit or the letter of the existing sanitary laws, it is proper to combine the exigencies of this important service with those of the postal service, and with the requirements of the maritime trade. Having in view that the dangers of the importations of the seeds of contagious disease, especially of the yellow fever, have to be well looked into as regards the hull and hold of ships rather than in passengers or goods, if the latter be not of a contagious character, as has been shown by science and proved by experience, and further, that it is not proper to submit the merchandise to the same treatment as to persons, mails, and vessels, and that ships must be treated according to their construction, cleanliness, ventilation, and hygienic *régime* observed on board, that the quarantine precautions not only constitute a loss of time and greater expense, but result in irreparable loss to commerce and the State; for the public health, however, they must be reserved in all rigour for grave cases, the Minister agreeing in the view that this measure of precaution, adopted by the Articles 32 and 34 of this Organic Sanitary Law, should be reconciled with what is ordered by Articles 36 and 37 of the local law, and by what is determined by the Royal Order of the 6th June, 1860, in confor-

mity with the information received from the sanitary Spain. branch :

“ Has resolved—

“ 1. That iron vessels with passengers, mails, and Colonial merchandise, leaving the port of our Antilles (or islands), Gulf of Mexico, La Guaira, and Terra Firma, from the 1st May to the end of September, arriving at the Peninsula in good hygienic condition, and without any suspicious circumstance on board, should be admitted to free pratique, having previously undergone the necessary fumigation and examination ; mails and passengers can be then disembarked, the vessel and merchandise being subjected to three days' observation.

“ 2. This observation can be performed, not only in the foul lazaretto of St. Simon and Mahon, but in any of those established, or that may be established, in first-class ports.

“ 3. If, in any of these ports, where said vessels should arrive or be sent for the purpose, there should not be an established lazaretto, the owners can, at their cost and for that object, provide a floating pontoon, if the bay should permit it, in the place that should be named by the Sanitary Board.

“ 4. To enjoy the privilege of this order the obligatory conditions are, that the ship will not sail from a known infected port, that it shall not have any contagious cargo or goods, or considered as such, and that it shall be provided with a doctor, a pharmacy, and room for ventilation, so as to remove daily the air from the hold, which operation has been watched and certified to by the ship's doctor.”

Article 35, by the Law of the 24th May, 1866, was inserted under the following conditions :—

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“The foul bill of health of Asiatic cholera will compel a vessel to perform equal quarantine to that which is ordered to be performed for yellow fever.”

With respect to Article 39, a report, dated 3rd June, 1867, from the Sub-Governor of Minorca to the Directors of Health, having been sent to the head Sanitary Board as to whether vessels, having sickness during the voyage and arriving at that department with suspected goods, their quarantine should count from the time they anchor, the Board disposed of it in the following terms, by Royal Order of 22nd October, 1867, viz :—

“Most Excellent Sir,—This Board, in its meeting yesterday, approved what was resolved in your second section, which is inserted as follows :—

“This branch having taken notice of the report submitted by the director of the lazaretto of Mahon, as to whether quarantine to vessels that have had sickness during their voyage, and arrive here with suspected goods, should commence from the time they finish discharging, or from the time they anchor in port.

“The arrival at that lazaretto of the Spanish Corvette *Rosa and Carmen* from Buenos Ayres, with a cargo of hides, having left that port on the 24th March, with a clean bill of health, they observe that on the 3rd April she lost one of her crew from pleuro-pneumonia, an illness so named by the doctor of the lazaretto, from information given by the captain, from the log-book, which details the illness. The said vessel arrived in Cadiz on the 24th May, and was admitted to observation; but on the following day, in consequence of the Royal Order of the same date, it was despatched to the lazaretto of Mahon, where it was subjected to the treatment laid down for foul bills of health.

“ Having regard to the Sanitary Law of the 28th <sup>Spain.</sup> November, 1855, and especially the Articles 34 and 41, as also the Rules 19 and 24 of the Royal Order, 25th April, 1867, and

“ Considering that the vessel in question, by the port she was coming from, and the death on board, would naturally excite suspicion as to the cause of the death, which was justified only by inference ; considering that the Board at Cadiz acted with necessary caution in ordering the vessel to the foul lazaretto the same day it received the Royal Order of the 25th April, in which it was requested that the greatest scruple should be observed in the carrying out of the sanitary measures, it being imperative not to exaggerate suspicion, considering that, in submitting the vessel to rigorous treatment at Mahon, the director did not do more than comply with his duty : First, because Rule 13 of the Royal Order of the 6th June, 1860, orders that no Board can alter the established rules of others ; and, secondly, because in this case, the vessel carried suspected goods :

“ The Board is of opinion that the conduct observed by the Board of Cadiz and the director of the lazaretto of Mahon must be approved of, and that the same treatment in analogous cases should be recommended to the other officers of the branch ; and, respecting the report which is made as to the time when the quarantine to vessels arriving in the lazaretto should commence, must adhere to what is proposed by the Board in this same date, in accordance with the view of the director of the same lazaretto.

“ I have the honour to lay before your Excellency the foregoing views for the resolution of Her Majesty, returning the aforesaid reports by which they are occa-

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sioned, sent to this Corporation with date 29th July last.

"The Queen, agreeing with what is proposed by said Board, has cause to approve of the conduct observed by the Maritime Sanitary Directors by the said Board, commanding, at the same time, this Royal Order to be published in the *Gaceta de Madrid* for the guidance of the Governors of the maritime provinces and of the Directors of the Board, and with the object that they should govern themselves accordingly in all analogous cases that may hereafter arise."

By the said Law of the 24th May, 1866, Article 40, was in the following form :--

"Ships coming from ports which have suffered from the plague, yellow fever, or Asiatic cholera morbus, shall be subject for some time, after their cessation has been officially declared, to the respective quarantines, and this time will be thirty days in ordinary cases of plague, and twenty for yellow fever and Asiatic cholera."

The following Royal Order of 10th July, 1875, will more clearly explain the above :—

"General Administration, Sanitary, and Penal Establishments,—

"May it please your Excellency, in view of the documentsent by the residing Swedish and Norwegian Minister to the Royal Sanitary Council against the quarantine imposed at Barcelona to the Norwegian vessel *Betty*, from Helsingberg (Sweden), the said consulting body has been pleased to publish the following resolution :—

“At a session held yesterday this Royal Council **Spain.** unanimously approved the resolution of the second section, inserted below :—

“A complaint against the treatment imposed at Barcelona to the vessel *Betty* was forwarded by the resident Minister of Sweden and Norway to the Minister of State, and, by him, transmitted to the Civil Minister. As is shown by the Swedish and Norwegian Minister, the said vessel left Bjembey (Finland), and stopped at Helsingberg (Sweden), on the 30th October, 1873, to take in water, arriving at Barcelona on the 26th December of the same year ; that the port of Helsingberg was declared free of cholera epidemic from the day before the vessel *Betty* arrived there, as per circular of the Spanish Government dated 23rd October, 1873. And that, notwithstanding the captain of the *Betty* had his bill of health *viséd* by the Spanish Vice-Consul of Helsingberg, he was sent to the lazaretto of Mahon to undergo ten days' quarantine, the authorities of Barcelona taking this determination in view of what is exposed in the Article 40 of the Sanitary Law, which orders arrivals from ports where the cholera has existed to be subject to twenty days' quarantine after the official declaration of the disappearance of the epidemic.

“Against this determination on the part of the Barcelona authorities the Swedish Minister protests, and says that, if the Articles of the law above referred to be interpreted as in the case of the *Betty*, the result would be, that the only vessels exempt from quarantine would be those sailing from ports where cholera had been raging not sooner than twenty days after said ports had been declared free from contagion, and that all those sailing within that period would be obliged to go under



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quarantine, whatever time they might have taken in reaching their destination.

“To show the extreme rigour of this interpretation of the law, he further points out the great distance between the northern countries and Spain; in the present case the vessel having been two months on her voyage, and there being instances of others requiring 225 days to reach Barcelona from Normalindg (Sweden), time enough to remove all suspicion. For this reason he considers that the Article referred to ought to be made somewhat more lenient for vessels sailing (under similar circumstances to the *Betty*) from epidemic ports, and arriving at others a good deal more than twenty days after their departure, without any illness to report.

“Bearing in mind the circular of the 24th October, 1873, and Article 40 of the Sanitary Law, in which it says that vessels coming from ports where Asiatic cholera has been raging will be subject to quarantine regulations for twenty days after the official declaration of the cessation of the epidemic, and considering also that this Article does not state whether the days employed in navigation are to be included in said twenty or not, the Council is of opinion that, until the law (the project of which is now being discussed) be reformed, there is no remedy but to adhere strictly to Article 40 of the same, and so decline to admit the protest.

“I have the honour of forwarding to your Excellency the preceding Report for the decision of His Majesty, returning the documents referring to the same sent to this Corporation under date 17th October of last year.

“In accordance with which—

“Bearing in mind that the quarantine regulations as prescribed in Article 40 (amended) of the Sanitary Law

are based upon the acknowledged fact that the danger **Spain.** of epidemic contagion is not eradicated from the infected locality until some time after the last cases of illness, that although this danger may cease to be one to persons who have inhabited the infected districts, it may be very well carried to other countries both by persons and goods.

“ Bearing also in mind that the rules of health upon which our sanitary legislation is founded do not at present permit us to consider the length of time a vessel employs in her voyage.

“ Bearing in mind, also, that the Spanish laws do not allow of the admission of suspected vessels into our ports, without the usual disinfection in the way prescribed according to the nature of the case (the only method of freeing us from exotic pests recognized by science), His Majesty the King (whom God preserve) has approved the interpretation of Article 40 of the Sanitary Law of 1855 (and reformed in that of 1866), given to it by the sanitary director of the port of Barcelona, and has further ordered that, for the proper application of the Article referred to, our sanitary authorities take no account of the time employed by vessels in their voyages, and exempt only those sailing from contagious districts more than twenty days after the official Government declaration, and only then when all the other conditions specified by the law be satisfactory.

“ Finally, it is His Majesty's will that the Ministry, over which your Excellency so worthily presides, instructs our Consuls in foreign countries to observe the utmost strictness in sanitary matters, reporting the exact date of the last case of illness, together with the official declaration of the Government of the respective country, so that

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they may agree as much as possible with that of the Spanish Government, and be duly taken into account for all matters they concern.

"I communicate this to your Excellency for the proper carrying out of all that concerns sanitary authorities of your province.

"God preserve your Excellency for many years.

"*Madrid, July 10, 1874.*

"S. S. GUÍJARRO,

"*Director-General.*"

An Order of June 1866 establishes Santander, Cadiz, and Carthagena as lazarets of observation for ships proceeding from suspected places.

The following Royal Order was promulgated in January, 1879 :—

"In view of recent information received regarding the sanitary condition of certain Russian towns in Astrachan, and in parts of Central Asia, and of the late news of the appearance of a few cases of plague at Salonica, His Majesty the King (whom God preserve), anxious to adopt every measure of precaution in order to save our country from that terrible disease, has been pleased to decide, after having heard the learned opinion of the Royal Board of Health, as follows :—

"1. Arrivals from Salonica, if they have left that port after the 20th of January, ultimo, are declared foul ; and this measure will apply to other places should they be similarly circumstanced, of which you will be immediately informed by the Government.

"2. All vessels arriving from the Sea of Azov, from the Black Sea, and from the coasts of Turkey, Syria,

and islands of the Archipelago, of Constantinople and **Spain**, Greece, on reaching our ports will be isolated, and subject to seven days' observation in quarantine.

"Moreover, on the arrival of these vessels they will be subject to a minute sanitary inspection, and the director of the Marine Board of Health, will give detailed information, stating the port of departure of the vessel, the date of leaving the first port, and others where the vessel may have called, the cargo in detail, the bill of health, the circumstances of the voyage, and any other important circumstance.

"3. After these preliminaries, the Board of Health will meet, and its opinion will be forwarded per first post to this Ministry, so that during the seven days of observation, it may be decided, taking every circumstance into consideration, if the vessel may be admitted to free pratique, or is to be dismissed to a foul lazaretto, &c."

As a general rule all cargoes of ships having a foul bill, or even a clean bill, if the sanitary conditions are bad, are sent to the lazaret, except mails or letters in cases or boxes, which are received at the ports and distributed after being fumigated, &c. The articles considered as susceptible are hides with skin or in packages, tanned skins, feathers and skins of animals, cotton, silk, wool, clothes in use and effects of crew and passengers, rags, paper, and living animals, which undergo a scrupulous purification and ventilation in the sheds and warehouses of the lazaret; even those articles which do not suffer by being exposed, are purified in the open air. The purification lasts as long as the period assigned to the vessel, according as her bill of health and the circumstances of the case require; the quarantine days

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being reckoned as of twenty-four hours, and commencing to be counted from the completion of the discharge of the cargo. When sickness occurs on board a vessel in quarantine, the doctor and the surgeon appointed to the lazaret attend on the sick person, either in the hospital of the establishment or on board, even although the vessel should have a medical officer. This attendance is paid by the patient. Every vessel sent to the quarantine station is visited on anchoring by the alcaide and the doctors of the establishment, to ascertain her state, and to order such washing and ventilation as are deemed expedient for her purification during her quarantine. The lazaret at Vigo is on the Island of San Simon. Everything connected with the establishment is considered to be eminently favourable to health. There are warehouses and sheds for ventilating goods. Formerly "sanitary cordons" were adopted in such parts of the road as were deemed expedient to impede the introduction of epidemics by land ; but the employment of cordons was ultimately abandoned, as being vexatious to traffic without producing the desired object. In September 1855, when the cholera reappeared partially in the neighbourhood of Vigo, the spread of the disease was believed to have been arrested by isolating the infected houses, and burning such articles as were susceptible of contagion, which had been used by the cholera patients.

At Carthagená, a sanitary cordon in 1854 and 1855 was adopted against the cholera. During the sanitary cordon the municipal authorities were known to leave the town, and return to the same without being placed under observation : such being strictly against all rules and regulations.

On the 24th of June, 1859, Her Majesty's steam ship,

*Firebrand*, arrived at Vigo from Plymouth, after being *Spain*. twelve days at sea, without a bill of health. A quarantine of ten days was imposed. The *Firebrand*, therefore, left on the 27th, leaving a mail for England, which was opened on board, the letters pierced and dipped in vinegar, before the Board of Health would allow them to be put into their boat, although the mails arriving there from the Havannah in the Spanish packet during the period of interdiction, were at that time only opened on board, the letters pierced, and then put again into the boxes, and landed and fumigated in the town, but not dipped in vinegar. Mr. Brackenbury, the British Consul, applied to the Board of Health for the release from quarantine of the ship, on the ground that Captain Dayman was not aware of the necessity of having a bill of health, and the medical officer on board was prepared to certify that not a single case of sickness had occurred during the voyage. The application was unavailing, and for these reasons: "This vessel," it was said, "comes from Plymouth, but not having a bill of health, she cannot prove whether at the time of her departure from that port, any of those diseases were prevalent which, according to the health regulations, would entail the performance of quarantine, nor, on the other hand, can she prove whether precautionary measures are taken at Plymouth, as regards ports where such diseases reign—information comprised in every bill of health, which at the same time states the number of persons on board, and is indispensable to enable a judgment to be made of the hygienic and sanitary state of a vessel during her voyage; and in case of its not being good, the vessel is subjected to extra quarantine."

Again, on the 17th of July, 1859, the United States

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schooner *Republican*, arrived at Cadiz from Huron, in the State of Ohio, with a cargo of staves for Candia, but having no bill of health, she was ordered to Vigo or Port Mahon, to perform quarantine before she could enter the port. The master was advised by some persons at Cadiz, to go to Tangier, as arrivals therefrom were only subject to three days' quarantine. He did so, and reached Tangier on the 20th; but on the circumstance being known there, he was ordered away, and he then proceeded to Vigo, where he arrived on the 9th of August. A quarantine of only three days was imposed, and this he rode out in the bay.

On the 23rd of September, 1859, the English schooner *Azorian*, arrived there from Teneriffe, having sailed from London for that port with a general cargo; she was sent from Teneriffe to Vigo to perform quarantine, on a report that the cholera prevailed in London.

On the 10th of October, 1859, the English ship, *Golden Age*, from Old Calabar for Liverpool, with a cargo of palm oil, put into Vigo with ten feet of water in her hold, and the crew exhausted. Although she had been fifty-six days at sea, having no bill of health, she was ordered to the lazaret to perform ten days' quarantine. The master was obliged to embark forty men to work her pumps.

On the 20th of October, 1859, two English vessels, the *Estremadura* and the *Georgiana*, put in at the same port in consequence of heavy gales. Both were from Glasgow, the one bound for Oporto and the other for Seville, and they had clean bills of health, duly certified by the Portuguese, and Spanish Consuls. The former was at once admitted to pratique, but the latter was put in quarantine for three days, in consequence of the Spanish

Consul having annexed to his certificate this note: "The **Spain**. cholera has disappeared from this port, and from others comprised in an area of ninety miles, and all vessels are admitted to free pratique, although coming from infected ports, provided there be no sickness on board."

On the 10th of November, 1859, the Peninsular mail ship *Ellora*, arrived at Vigo from Southampton, whence she sailed on the 17th with a clean bill of health, on which the Spanish Consul had made a note that the steamer *La Plata* had arrived at Southampton from St. Thomas, and that, although there had been two deaths on board from yellow fever on the passage, she had been admitted to free pratique. The *Ellora* was therefore considered as having a foul bill of health, and was not allowed to communicate. The same measures were adopted towards the steamer *Euxine*, which left Southampton on the 17th of November, and arrived at Vigo on the 21st; and towards the steamer *Tagus*, which left Southampton on the 27th and arrived at the same place on the 2nd of December, although this vessel brought a certificate from the Spanish Consul, that Southampton was free from all contagious or epidemic diseases, and that precautionary measures were adopted at Southampton as regarded infected ports.

The above steamers were admitted to free pratique at Lisbon, and brought clean bills of health duly and favourably countersigned by the Spanish Consul-General at Lisbon; but were, nevertheless, and contrary to the health regulations, refused pratique at Vigo, on the plea that they came from Southampton, and had not performed quarantine at Lisbon. The *Tagus*, which arrived at Vigo from Lisbon on the 8th December, and the *Sultan* on the 16th, were both refused pratique, even



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contrary to express orders sent from Madrid by the Spanish Government.

During the whole of the above-mentioned period, the Vigo Board of Health was admitting to free pratique the French steamers from Lisbon, furnished with bills of health similar to those brought by the Peninsular steam packets, and knew that the British steam packets were in free communication at Lisbon, but they kept those steamers in quarantine during their short stay there, and obliged the workmen sent on board to perform quarantine at the lazaret.

In contrast to the practice adopted towards healthy British steamers, the case of a Spanish steamer may be cited : she arrived at Vigo on the 29th of April, 1860, direct from Ceuta, with a battalion of Spanish infantry, and, although it was publicly known that the cholera was then prevalent in Africa, she was admitted to pratique immediately on her arrival.

During the whole of the winter of 1859-60, while the cholera was raging in Africa, and it was well known that the Spanish army suffered severely from the distemper, having lost, according to public report, as many as 10,214 of its number, yet all vessels arriving from Ceuta or Tetuan, with sick and wounded on board, were freely admitted to pratique in the ports of Spain, whilst at some, as at Malaga and Alicante, English arrivals from England have been subjected to three days' quarantine.

The length of the voyage was not taken into consideration as regards the imposition of quarantine ; a steamer arriving from the Havannah in seventeen days, and a sailing vessel in fifty-three days, were each subjected, under the circumstances, to an equal quarantine.

With respect to the lazaret, the conduct of the officials,

is said to be such, that Spaniards themselves have made **Spain.** repeated complaints to the Government at Madrid.

In April, 1860, a quarantine of three days was imposed on a vessel from Glasgow with a clean bill of health, on the alleged ground that it was to prevent vessels leaving a port infected with cholera from receiving pratique in Spain until ten days had elapsed from the date of their departure from the infected port ; so that, a vessel from a continental port, where cholera prevailed, should not be able to obtain pratique in Spain, by touching at an English port, and taking clearance from thence. The Vigo Board of Health, however, did not impose any quarantine whatever on vessels coming from Cadiz or ports in the Mediterranean, which were not only in free communication with Ceuta and Tetuan, where the cholera was prevalent, but which vessels were actually conveying convalescents from cholera to those ports ; whilst the same Board imposed a quarantine of three days on the schooner *Wavre* from Glasgow, which port the Spanish Vice-Consul certified was free from all contagious or epidemic diseases ; thus placing Glasgow as a clean port, in a less favourable condition than Cadiz and Alicante, which might justly be considered, according to the Spanish health regulations, as at least suspected ports. The expenses incurred by the *Wavre*, notwithstanding that the quarantine imposed on the vessel was at once cancelled by the Minister of the Interior, at Madrid, when the case was made known to him, amounted to *reals vella* 390, or about £4, viz. : health guard, 30 reals ; fumigation, 48 reals ; expenses of ships for three days, 312 reals.

## TENERIFFE.

**Spain.**

The sanitary laws of Spain, bearing date November 1855, and which are mainly based on the International Sanitary Convention of 1851-2, are in force here. In every respect they are the same as those practised in the ports of Spain. Vessels in a bad sanitary condition on arrival are subject to quarantine, as a precautionary measure. There is a lazaret on the shore, a mile and a half from Santa Cruz. Cargoes are not landed ; foul vessels must proceed to Vigo or Port Mahon. No inspection is made of the sanitary state of vessels. Sanitary cordons by land have been adopted on several occasions.

## CUBA.

At Havannah quarantine is imposed on account of cholera, small-pox, or any contagious disease, and varies from seven to twenty days, according to circumstances. But only Chinese migrant ships as a rule are quarantined, and that for about forty-eight hours only. From the 1st May to the 1st October, foul bills are issued to all vessels quitting the port and bound for Spain, without regard to the health of the town ; clean bills are issued during the rest of the year. This is for the quarantine purposes in the mother country. Cargoes are sent to the lazaret if necessary. Foul vessels are required to be inspected and fumigated. The penalties for breaches of quarantine are very severe.

## ST. JAGO DE CUBA.

The diseases which render all arrivals without exception, whether sick or well, from a place or country where such a disease exists, subject to quarantine, are cholera,

small-pox, and all other contagious or infectious diseases, Spain. such vessels being subject to from two to seven days' observation. There is a lazaret.

#### PUERTO RICO.

The diseases for which quarantine is imposed, are small-pox, yellow fever, cholera, plague, or any other epidemic or contagious disease. The quarantine for small-pox, there being no cases on board, is the number of days required to complete eight days from the port of departure. Vessels from ports infected with yellow fever, but having had no sickness on board, are not quarantined ; in the contrary case a quarantine up to fifteen days is imposed. For the plague and cholera a quarantine of from fifteen to twenty days, although there has been no case of sickness on board ; otherwise they are not admitted at all. There is a lazaret. Cargoes are fumigated on board the infected vessel when required. During the cholera of 1856 sanitary cordons were established in various parts of the island ; it is said, with great want of success.

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#### TURKEY.<sup>65</sup>

##### CONSTANTINOPLE.

Plague, cholera, and yellow fever render arrivals subject to a quarantine, the duration of which is according to circumstances. There is no diminution in the case of any ship or person. The period which must elapse before free pratique depends upon the decision of the Board

<sup>65</sup> See also *ante*, p. 372.

**Turkey.** of Health, subject to the rules hereinafter mentioned. The lazaret for the port of Constantinople for arrivals from the Mediterranean is situated at the Dardanelles. For arrivals from the Black Sea there is another lazaret at the entrance of the Bosphorus. Some cargoes, such as wools and manufactures, are sent to the lazaret. Smoking, airing, and wetting are the measures of purification. Sickness on board a vessel during quarantine is attended by the medical officer of the Board of Health at the public cost. No inspection of a vessel is made. Frequent evasions of quarantine occur; when discovered, double quarantine is imposed, with the fees. The bills of health of ships previous to 1866, used to be examined at five different places. They are now only inspected at the Dardanelles and Gallipoli.

By the regulations of the Board of Health, dated the 11th of August, 1863:—

1. The want of a *visa*, from one of the five sanitary places in the Straits of Dardanelles, for vessels coming to Constantinople, or going into the Black Sea;
  2. The want of an Ottoman bill of health, for vessels going from an Ottoman port to another Ottoman port;
  3. A bill of health granted by an Authority, other than that of the port of departure;
  4. The entire absence of a bill of health, or any other breach of quarantine rules;
- incurs a fine, of from two to ten gold medjidies<sup>66</sup> for sailing vessels in proportion to their tonnage, and of twelve gold medjidies for steamers of every description.

Vessels guilty of the offence fourthly mentioned must moreover, pay the expenses under Article III., of the Organic Regulations for quarantine.

<sup>66</sup> A gold medjidie is worth eighteen shillings and twopence.

The above-mentioned fines do not relieve vessels, **Turkey.** with a suspected or foul bill of health, from quarantine, nor do they, in case of fraud, relieve them from other punishment.

*Instructions relating to vessels with the Plague (13th October, 1841).*

1. Every vessel, on board of which there have been **The Plague.** cases of plague, shall be subject to the particular measures hereinafter mentioned, without regard to the rules defined by the Organic Regulations, for ships coming from the sea.

2. The vessel and the passengers shall be subject to twenty-one days' quarantine, and susceptible merchandise to thirty-one days.

3. The quarantine of a vessel shall only begin after the complete landing of the sick (if any), of the passengers, and of the merchandise, whether susceptible or not, which shall be placed in a lazaret or other convenient place.

4. The quarantine of passengers who do not wish to undergo the *spoglio*<sup>67</sup> shall only date from the day when their clothes were ventilated; these must remain there during the whole quarantine, and be shaken every day by their owners. As to susceptible merchandise, its quarantine will only date from the time when it has been exposed to the air and undergone purification.

<sup>67</sup> *Spoglio* is undergone when passengers go into a lazaret; they give up all their clothes to be fumigated, except those that they are wearing. After the clothes have been fumigated for twenty-four hours they are returned to the passengers, who then undergo the *spoglio*; that is, they hand to the guardian the clothes they wear, to be carried away and fumigated, while they dress themselves in the clothes returned from fumigation.

**Turkey.**

5. Persons, affected with the plague, are taken to a place isolated from other passengers ; they must remain there watched by one or more guards, according to their number. These guards must never quit their posts, nor permit any one to approach the sick persons.

6. Clothes, hammocks, bedding, and everything else in daily use of persons who have died of plague, on board of a vessel during its passage, or after its arrival, shall be burnt.

7. "*Mortis*," that is, persons to take charge of the plague-stricken persons, shall be placed near them, to attend to them, according to the instructions of the doctor.

8. The vessel, the passengers, and the merchandise, which have come in contact with any person newly plague-stricken, shall be subject to another quarantine.

9. Passengers who have arrived on a plague-stricken vessel, shall be separated from one another, as much as possible. In consequence, they may not be more than ten in number, in each room. Each person shall be watched by a different guard, and may communicate with no one during the quarantine.

10. If a case of plague declares itself, on one of the persons in quarantine, who have arrived on a plague-stricken vessel, those, who since their landing in the lazaret have had no communication with the new sick person, shall not be obliged to recommence their quarantine, and shall be admitted to free pratique after the appointed time.

11. Persons in quarantine shall be visited every day by the official doctor, who will take great pains that no person deceives him as to his health. In case any person should fall sick, he will cause him to be separated

from his companions, and to be isolated until he can **Turkey.** ascertain the nature of the illness.

12. (There are special instructions for the directors and doctors employed in the sanitary service of the Empire.)

13. The measures of disinfection to be taken with regard to a ship are as follows :—

- (a.) The master, after having discharged, before the lazaret or other appointed place, the sick, the passengers, and the cargo, shall be required to clear his vessel by landing everything which may be in the hull, or in the compartments of the ship. These things must be exposed to the air during the whole duration of the quarantine, and care will be taken to have them opened, spread out, shaken, and changed about according to their nature.
- (b.) Merchandise which is not susceptible—such as corn, rice, &c.—shall be discharged by being passed through sieves ; after this operation, to which the sanitary authorities are bound to give great attention, this merchandise may be immediately returned to its owners.
- (c.) The sails of the ship, and all the goods of the crew, wool of mattresses, cushions, and other like objects that water will not damage, are soaked in salt water for thirty-six hours. All these goods are placed to dry and are ventilated on the bridge.
- (d.) Clothes and other effects of the crew, which might be damaged by water, are shut up in the compartments of the vessel whilst they are



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being fumigated, and are afterwards aired on the bridge, during the whole of the quarantine.

- (e.) When once the vessel is completely emptied, it is first of all carefully swept, and all the sweepings are thrown into the sea. Then a quantity of water is admitted into the ship sufficient to wash the interior in every part; after which the hull and the between-decks, as well as the compartments, are whitewashed.
- (f.) The vessel shall be subjected to fumigation, during which time all openings are closed. They are afterwards opened by placing windsails to ventilate as much as possible the interior of the ship. These fumigations shall each last for twelve hours, and shall be repeated six times.
- (g.) The crew shall be regularly visited every day by the doctor, who will take all necessary measures for landing, any one who may fall sick, as well as the property of the sick person; and he shall keep him separated until his illness has been ascertained. If the sick person has the plague, he shall be taken to the plague hospital.
- (h.) If during the course of quarantine formalities, a new case of plague appears on board a ship, her quarantine recommences, and measures of disinfection must be renewed for her.
- (i.) The quarantine of twenty-one days, fixed for the vessel, shall not commence to run until the hull has been washed, and whitewashed, and that the sails and goods of the crew, mentioned in paragraph 3, shall have been immersed and dried.

14. The quarantine of persons stricken with the plague **Turkey.** shall not commence to date until the day, when the doctors have recognized and declared their perfect cure, and the cicatrization of their wounds, for it is only then that they can undergo the *spoglio* which is indispensable in these circumstances. This quarantine is for twenty-one days.

15. Persons who have died of the plague shall be buried in the cemetery of the lazaret; the grave must be six feet deep.

16. The susceptible goods of persons stricken with the plague, or who have died in the lazaret, and of those who have nursed them, shall be burnt. Care will be taken, before beginning this operation, to take a note of these goods, and to have them valued, in order to pay the value to the heirs of the deceased.

17. It shall be permissible for persons who have been in contact with persons stricken with the plague to undergo *spoglio*; only, their goods will not be returned to them until after thirty days of quarantine, and the usual fumigation. On this condition, they will be admitted to free pratique in fifteen days.

18. Care will be taken that passengers do not preserve, on themselves or among their clothes, letters, or other papers, or sealed packets, without having them duly purified and aired. In case of infringement on the part of persons in quarantine, who ought to be previously warned, they will be made to recommence their quarantine. The health guards also, must make a minute visit on board, to see if any susceptible objects are hidden, either at the bottom of the hold, or in cupboards, or in casks, or elsewhere. In case they shall discover any such objects, the vessel and the persons on board, will

**Turkey.** be subjected again, to all the formalities of a new quarantine.

19. Care shall be taken to place any vessel, which is plague-stricken, in an isolated place, and at a sufficient distance from land, and from vessels in free pratique, to avoid all communication. She ought to remain thus isolated until her admission to free pratique. Besides the two guards, who are placed on board the vessel, a third shall be charged to watch the boat, when the same comes to land, for food or for anything else. These guards shall be commanded, under pain of dismissal and imprisonment, to allow no one to approach the vessel.

20. At sunset, all the boats ought to be regularly raised and suspended alongside the vessel, and may not be launched again until sunrise.

21. Every person, cured of the plague, shall be obliged to pay the expenses that his illness has cost, to the Office of Health; poor people alone are exempt. In the same way the master of a plague-stricken vessel shall be obliged to pay to the Office of Health all the expenses occasioned by the purification of the vessel.

22. No medicine of any kind may be given to a passenger, or to the crew of a plague-stricken vessel, without the authority of the official doctor.

23. The health guards are commanded, under the most severe penalties, to inform the Director or the doctor as soon as any of the passengers or crew are taken sick.

24. When there have been persons stricken with plague in the lazaret, the officers of this establishment are bound to remain there until the perfect cure of the plague-stricken persons, and the disinfection of the place occupied by the same.

25. Neither passengers or guards, who have been in **Turkey**. contact with plague-stricken persons, may leave their rooms until ten days after all communication has ceased between them and the sick persons.

26. Conformably to Article 18 of the Organic Rules, for vessels coming from sea, no vessel, on board of which there has been any case of plague, may leave the port without having completed her quarantine, and having been subjected to the measures of disinfection above written.

*Regulations of the Board of Health concerning Yellow Fever, dated the 3—15 September, 1863.*

Persons arriving in vessels from places infected with **Yellow Fever**. yellow fever are to be sent to the lazaret, where they must undergo the *spoglio*. If yellow fever has occurred during the passage, their quarantine will be for seven days; if it has not occurred, the quarantine will be for three days only, provided that the hatches have not been opened on board before the disembarkation of the passengers. If they should have been opened, the quarantine will be for seven days. Goods and clothes are fumigated and ventilated. In case of yellow fever, or of a foul bill, on account of the same, vessels are completely washed and purified. All those who take part in the work must perform a quarantine of observation, for seven days. Merchandise is washed with chlorate of lime, and ventilated for three days in a lazaret.

*Regulations of the Board of Health concerning Cholera, January 15 and 19, 1867.*

The quarantine for cholera, for those coming either by **Cholera**. the sea or by land, is ten clear days. If cholera has

**Turkey.** appeared on board a vessel, it will undergo ten days' quarantine ; the passengers (if any) are sent to the lazaret and the vessel is disinfected. If no cholera has appeared on board, a vessel coming from an infected port will undergo ten days' quarantine also ; but the quarantine, in this case, will be diminished by one day for every day exceeding the tenth, that has been passed on the voyage. A passage of nineteen days, therefore, only requires one day's quarantine. After that period the quarantine is uniform, *i.e.*, twenty-four hours.

For vessels which have on board an officer of health, and are in a good sanitary state, the quarantine may date from the departure from the infected port, if no cholera has occurred during the voyage. They may complete their quarantine in ten days, in the port of arrival, deducting one day for each day of the voyage up to nine days, after which the quarantine is always the same, *i.e.*, twenty-four hours.

A vessel, with a clean bill of health, may touch at an infected port, to land despatches, letters, &c., without becoming infected, if under the superintendence of the sanitary authorities. Passengers are detained in the lazaret for ten days if cholera has appeared on board their vessel. Merchandise is in general exempt from disinfection, but wool, cotton, horsehair, feathers, unmanufactured skins, and other remains of animals in a foul state, are purified ; rags are disinfected or even burnt ; letters and packets are purified under special rules. The lodgings occupied by cholera patients, and the vessel should be completely cleansed with chlorate of lime, or with a solution of phenic acid, two parts of acid and one hundred parts of water. A solution of sulphate of iron is also useful. The sanitary authorities should distinguish

between European cholera (*cholera nostras*) and Asiatic **Turkey.** cholera. Sudden attacks of cholera which cannot be referred to any infected district of Asiatic cholera, are *cholera nostras*; but attacks which assume the form of epidemics, are evidently Asiatic cholera. The expressions "Sporadic cases of cholera" and "Sporadic" cholera, which are often confused together, should be avoided in bills of health.

*Rules relating to vessels passing through the Straits of the Dardanelles and of the Bosphorus, February 7, 1871.*

Every sailing vessel or steamer ought, before passing the Straits of the Dardanelles or Bosphorus, to undergo interrogation, and to have her bill of health *viséd* at the office at the entrance of the Bosphorus if she comes from the Black Sea, or at the Dardanelles if she comes from the White Sea (Archipelago). In time of cholera, sailing vessels or steamers perform quarantine at the above places. Vessels coming from an infected port to a Turkish port, although without cholera on board, undergo quarantine at the same places. Steamers coming from an infected port, without cholera on board, to a foreign port, may pass the Straits without touching anywhere, if under the care of two health guards, taken on board at the entrance of the Straits, and landed at the opposite Straits. Sailing vessels coming from an infected port, without cholera on board, may pass the two Straits and continue their voyage for a foreign port, under these conditions:—

1. Vessels from the Black Sea shall take two health guards, and then be taken in tow by a steam tug to the open part of the Sea of Marmora; thence they shall

...that ... the ... the ...

...the ... the ... the ...

...the ... the ... the ...

Every vessel in a state of quarantine, which, in the ... the Sea of Marmora, shall communicate with the shore or with another vessel, is liable to a fine of ... per ton.

*Organic Rules for vessels coming to Constantinople or the other ports of the Ottoman Empire, given by the Board of Health, 1241 1840 (25 of Rebiul-evvel, 1256).*

Organic  
Rules.

1. Every vessel arriving at Constantinople, or in other port of the ... must be provided with a bill of health ... on the ... of the ...

2. There are three classes of bills of health, viz., clean **Turkey**. bill ; suspected bill ; foul bill.

1. Every bill, delivered thirty days after the last case of plague, shall be considered clean. The vessel, which carries one, shall be immediately admitted to free pratique, together with her passengers, crew, and cargo.

2. Every bill, delivered fifteen days after the last case of plague, is considered suspected. The vessel, which carries one, shall perform a quarantine of fifteen days, if loaded, and of ten if in ballast.

3. Every bill, delivered in the interval of fifteen days since the last case of plague, is considered foul. The vessel, which carries it, will perform a quarantine of twenty days if laden, and of fifteen days if in ballast.

3. Every vessel, which shall not be provided with a bill of health, shall be placed in the list of vessels carrying a foul bill, unless the captain can prove the contrary in such a manner, as to dissipate all doubts concerning the sanitary state of the country whence he comes.

4. Every vessel arriving in a port of the Ottoman Empire, after having been moored in safety, shall send a boat to the Office of Health, where the master must show his bill of health, and the muster-roll of the crew, and undergo an interrogation, in which he shall faithfully declare the sanitary state of the vessel, as well as the communications which she may have made during the voyage. If the bill is clean the vessel shall be immediately admitted to free pratique ; if it is suspected or foul, the Office of Health shall immediately place on



**Turkey.** board health guards, whom the master is bound to admit, and such vessel shall be placed in one of the quarantine classes, provided by the above Article 2.

5. Vessels in a state of suspicion, who wish to discharge their entire cargo, and to take pratique, are alone bound to exhibit their manifest, to the superintendent, at the place of discharge. Except in this special case, the manifest must never be required by the officers of this Administration.

6. (a) Quarantine for both suspected and foul vessels, loaded with susceptible articles, shall be counted from the day of their anchorage before the lazaret. They may not, however, be admitted to free pratique until ten days after the entire discharge, and the superintendents of quarantine are bound to furnish them with warehouses, porters, and other necessary means to effect the discharge of their cargo, at least ten days before the expiration of the term fixed for their quarantine, by the above Article 2. (b) Whenever a vessel loaded with susceptible articles, has discharged at the lazaret all her cargo, at least five days dating from the day of arrival, this vessel is counted in the list of vessels in ballast, mentioned in paragraphs 2 and 3 of the above Article 2, and shall undergo, as such, her quarantine according to the nature of her bill of health, dating from the day of her complete discharge. (c) Vessels prevented by the wind from anchoring at the lazaret, may wait wherever the weather permits them, and they shall send from thence their merchandise to the lazaret. It is provided, moreover, that these vessels must place themselves at a fitting distance from vessels in pratique, with the obligation of moving as soon as the wind may permit them, to the anchorage appointed for vessels in quarantine.

7. (a) Quarantine, for susceptible merchandise, shall **Turkey.** only date from the day when it has all been discharged in the lazaret ; it shall be twenty days for foul bills, and fifteen days for suspected bills. (b) In the case where a laden vessel, in a state of suspicion, shall undergo delay in the discharge of her cargo, either by the absence of necessary warehouses or by the negligence of the superintendents to furnish her with means for discharging in convenient time, these superintendents and the Commission of the place shall be responsible to the vessel, for all costs, damages, and interest occasioned by the delay. This rule only applies to ports where there are sanitary establishments.

8. (a) Quarantine, for empty vessels both suspected and foul, shall be counted from the day when they take a health guard on board, on the condition that they submit to the measures of disinfection prescribed by the said guard. (b) Every vessel having a foul bill, which may be loaded with corn, or with any other non-susceptible merchandise, shall be considered as empty, and be subject to fifteen days' quarantine. The quarantine of such vessel will date from the day of her arrival in the port, where her discharge shall be effected, but she may not be admitted to free pratique, until she has discharged all her cargo by means of sieves. On this condition such vessel may fulfil her quarantine in any port of the Ottoman Empire, where there are sanitary authorities, although there is no lazaret.

9. (a) Every master arriving at Constantinople by the Straits of the Dardanelles, or of the Black Sea, is bound to show to the superintendents of the Straits his bill of health. (b) The masters, in fulfilling this formality are not obliged to communicate with the superintendents,

**Turkey.** nor to anchor, nor to permit any one to come on board, except a health guard if the vessel be in a state of suspicion.

10. (a) Every suspected or foul vessel entering by the Straits of the Dardanelles, is obliged, whether loaded or empty, to take a health guard on board either from the sanitary office of the Dardanelles, or from that of Gallipoli at the choice of the master. (b) Every suspected or foul vessel coming by the Straits of the Black Sea, whether loaded or empty, is bound to take a health guard on board, from the sanitary office of Sari-Yeri, or from that of Selvi-Bournu. (c) If the vessel be empty, her quarantine commences to date from the day when the health guard came on board, on the condition that the measures of disinfection prescribed by the latter are adopted. But the master ought to make this declaration beforehand at the time when he takes the health guard on board. In this case, if the vessel undergoes quarantine during the passage, she shall be admitted at Constantinople to free pratique. Vessels mentioned in the second paragraph of Article 8, as well as those whose number of passengers exceeds that specified in the second paragraph of Article 20, hereinafter mentioned, are excluded from the benefit of this provision. (d) Every suspected vessel which has received her health guard on board, can only communicate, before her arrival at Constantinople, with the intermediate ports and places, with proper precautions and under the superintendence of the said guard. (e) If the vessel be laden, her quarantine must always begin from the day of her arrival in the port, conformably to paragraphs *a*, *b*, and *c* of the above Article 6. (f) Empty vessels arriving at Constantinople, who have not finished their quarantine on the way, as well as laden vessels,

shall receive a supplementary guard, which they will **Turkey.** keep, together with the one taken on board at the port of one of the Straits, until the expiration of their quarantine. (g) Every master having a suspected or foul bill, coming through the said Straits, and who has neglected to take a health guard, shall be subject to a double quarantine, or if he must leave again in a state of suspicion, to a severe punishment inflicted by the proper authority. (h) It is understood that vessels, with a clean bill of health, are not bound to undergo this formality either at the Straits of the Dardanelles, nor at those of the Black Sea.

11. (a) Vessels, empty or laden, coming from the Mediterranean and bound for the Black Sea, with a suspected or foul bill shall be equally obliged to receive a health guard at the Dardanelles or at Gallipoli, whether they wish to undergo their quarantine at Constantinople, or whether they prefer to continue in quarantine until they reach their place of destination. Arrived there, they shall affix at the mizen-mast, a yellow flag, which they will keep up until they leave the port. (b) These vessels may be permitted to undergo their quarantine at Constantinople, on submitting themselves to the measures, enumerated in the preceding articles, for vessels destined for that port; but in this case, the masters must declare their intention in the interrogation which they undergo conformably with the above Article 4. (c) If, on the contrary, they prefer to continue in quarantine, they will receive, on their arrival, a supplementary guard, which they will keep on board until their departure, together with the guard which they took at the Dardanelles or at Gallipoli; and before their arrival in the Black Sea, they will land both at the last sanitary port of the Straits in that sea. (d) Mer-

**Turkey.**

chandise and passengers destined for Constantinople, are disembarked at the lazaret of Koutéli, where the merchandise is subjected to quarantine according to the sanitary conditions of the vessel and the passengers, conformably to Article 20 hereinafter mentioned. (c) The health guards taken on board at the Dardanelles, at Gallipoli, and at Constantinople, are at the cost of the master of the vessel, who must pay them their salaries, and the cost of returning, according to the tariff.

12. (a) Vessels coming from the Black Sea, whether laden or empty, with a suspected or foul bill of health will take a health guard at the sanitary office of Sari-Yeri, or at that of Selvi-Bournou, without being obliged to anchor before these offices. On their arrival at Constantinople the masters will go to the Office of Health, where they must undergo the interrogatory, conformably to Article 4 hereinafter mentioned, and take a supplementary guard on board. (b) All the provisions of Article 11, relating to suspected or foul vessels destined for the Black Sea, are equally applicable to vessels coming from compromised ports of that sea, and which, being destined for the White Sea, do not wish to undergo quarantine at Constantinople. But these vessels have permission to land at the lazaret at the moment of their departure, one of the two health guards on paying him his salary, and they will keep the other on board until their arrival at the Dardanelles, where they must land him at the sanitary office of the place, paying him his salary and the cost of his journey, according to the tariff.

13. (a) As lazarets do not exist in the different ports of the Sea of Marmora, laden vessels arriving by the Straits of the Dardanelles, with a suspected or foul bill, and destined for the ports or

places of that Sea, ought, before attaining their destination, to undergo quarantine in the said Straits, by unloading their cargo at the lazaret of the Dardanelles, or of Gallipoli, to be purified according to its degree of suspicion. If the master prefers to continue his voyage, in order to undergo quarantine at Constantinople before attaining his destination, he may do so, but in this case he is bound to take a health guard on board, from one of the sanitary offices of the Straits, conformably to the first paragraph of the above-mentioned Article 11. (*b*) Laden vessels coming from the Black Sea, with a suspected or foul bill of health, and destined for ports and places of the Sea of Marmora are obliged, before arriving at their destination, to undergo quarantine at Constantinople.

14. (*a*) It is expressly forbidden to the sanitary superintendents to go in any case on board of vessels bearing a clean bill of health, either at Constantinople or at any of the other ports or places of the Ottoman Empire, where the sanitary formalities are undergone. (*b*) This prohibition shall always be rigorously enforced, in favour of those ships, who, having a clean bill of health, are destined for ports of the Black Sea where there are organized quarantines, or from these latter ports for the Mediterranean, and do not wish to communicate with Constantinople or with any other place in Turkey. (*c*) These vessels shall, moreover, be exempt from the obligation of sending their boat to the Office of Quarantine, and of producing their bill of health to the superintendent of health. The superintendent of the Office of Quarantine must go so close to these vessels, that the master may be able to show his bill of health, without otherwise communicating. (*d*) Vessels arriving at Constantinople are obliged, if the wind permits them, to cast anchor at the Tower of **Turkey.**

**Turkey.**

Leander and to hoist their flag at the mizen-mast, so that the superintendent of the Office of Health may be informed of their intention, and may take suitable measures to convey to them the papers, with which they ought to be furnished by their respective *Chancelliers*.

15. It is expressly forbidden to the doctor of the Office of Health to go on board a vessel in a state of suspicion, on which there is a sick person. In such case, the sick person must be inspected by him in the vessel's boat, at a proper distance, and conveyed to the lazaret, if the doctor deems it necessary.

16. (a) Vessels arriving in a port or place of the Ottoman Empire, with a suspected or with a foul bill, who may wish to land their cargoes and passengers, either entirely or in part, and to leave again in quarantine, may do so, and they may not be kept back to take pratique. But the fact shall be mentioned on their bill of health. (b) Merchandise and passengers destined for this port, shall be landed at the lazaret, where the quarantine of the merchandise shall be completed according to the sanitary condition of the vessel; the quarantine of the passengers shall be conformably to Article 20 hereinafter mentioned.

17. (a) Every vessel having a clean bill of health, which has communicated on its passage with suspected or foul ports or ships, shall be liable to that quarantine required for the sanitary state of the place, or ship, with which it has communicated. (b) When a vessel with a suspected or foul bill, is obliged to tarry in any port or place of the Ottoman Empire, to procure food or water, or for any other reason, the Office of Health will permit her to provide what is necessary, with due regard to the precautions ordered by the sanitary rules, but without

obliging her to undergo quarantine, or to take a health **Turkey.** guard. In the case where the master shall pass a night in port, the Office of Health will place a boat with a health guard near the vessel, in order to prevent all communication between the vessel and the town. The master shall pay the Office of the place fifteen piastres per day, for all the time that the vessel may stop there.

18. No vessel on board which a case of plague has manifested itself, may quit the port before it has undergone quarantine, and been subjected to the measures of disinfection prescribed by the Office of Health.

19. All vessels in quarantine, are obliged to have a yellow flag at the mizen-mast, and a yellow pennant at a visible part of their ships' boat, for the purpose of making known their sanitary state, and for preventing all approach.

20. (a) Passengers, who arrive in vessels with a suspected or foul bill of health, must undergo quarantine at the lazaret. Nevertheless three passengers, who are selected by the captain, may be allowed to remain on board, to undergo their quarantine under the same conditions as may be imposed on the vessel. Passengers, destined for the lazaret, are taken there in the boat of the vessel, and their quarantine begins to date from the day of their arrival in that establishment. It is fifteen days for a foul bill, and ten days for a suspected bill. (b) Passengers, whose number does not exceed six, coming from the Mediterranean in ships in ballast, from suspected or foul places, may have the benefit of the permission granted to such vessels by the third paragraph of Article 10; and, moreover, they shall not be subject, on their passage, to the measures of disinfection prescribed by the health guard. (c) Every vessel in ballast, bearing



**Turkey.** a larger number of persons than that specified in the preceding paragraph, is reckoned as a loaded vessel; it shall only be permissible to passengers arriving from foul places to undergo *spoglio*, and in such case, they will enjoy the facilities reserved by that measure, if they conform themselves to the obligations prescribed by the rules relating to the same. (d) All passengers, on board steamers or sailing ships, must be provided with a *teskêrî* (health passport) delivered or *viséd* by the sanitary Authority of the place of their departure. The master is bound on his arrival, to show to the Office of Health these *teskêrîs*, with the bill of health of the vessel. In case one of these *teskêrîs* should be suspected, or foul, the vessel will undergo the consequences of the irregularity. (e) Every passenger, who shall not be provided with a health passport, shall be placed on the list of foul arrivals, unless he can furnish proof which admits of no doubt, as to the place whence he came.

21. To prevent the considerable expense to steamers who perform a weekly service, they may be allowed to keep their guards on board, during all the time that the places whence they come are compromised or suspected.

22. For every offence or infraction in sanitary matters duly proved, the offender shall be sent to the authority to which he is subject, to be judged, and to receive the punishment which he deserves.

23. Every one is forbidden to approach vessels, arriving in any port or place of the Ottoman Empire, where there are quarantines, before such vessels have been interrogated by the officer of health, charged with this duty. If any person, ignorant of this prohibition, attempts to approach, the master is bound to prevent him. In case of disobedience, the offender shall be

apprehended by the officers of health, without any regard **Turkey.** to his class or rank, and he shall be sent to the competent Authority to receive punishment, after he has undergone a quarantine, if he is deemed to have endangered his health.

24. (a) An Office of Health will not deliver new bills of health to vessels, except (1) when a vessel has undergone her quarantine in its port, and has been admitted to free pratique; (2) when she has loaded or unloaded merchandise, without being in a suspicious state. (b) As to a passing vessel touching at its port, the Office of Health will only inscribe a *visa* on the bill of health which she carries.

25. (Rescinded.)<sup>80</sup>

26. (a) Ottoman and foreign ships of war coming from suspected or foul ports, are subjected to the same measures as empty vessels; they receive on board two health guards, and ought to submit themselves to the measures of disinfection prescribed by the said guards, of which one ought always to be in the ship's boat, when it is employed for landing. (b) The quarantine for these ships shall be, twelve days when they come from foul ports, and seven days when they are suspected; it dates from the day of the reception of the health guards on board. (c) As some of these ships are not furnished with a bill of health, their commanders are bound, on their passage through one of the Straits, to declare on their word of honour whence they come, the state of health of their ship, as well as the communications which they have had during their passage. Arrived at Constantinople, or in

<sup>80</sup> Concerning quarantine dues. By regulations of the Board of Health, dated December 11th, 1871, a new tariff of quarantine dues is established and all former dues are abolished.

**Turkey.** any other port of the Ottoman Empire, they shall go to the Office of Health to fill up and sign the formula of questions, which shall be presented them by the superintendent of that office, who is charged to admit them to free pratique, if the place from whence they come is clean, and, in the contrary case, to inform them of the measures to which they must submit themselves.

In February, 1879, the Constantinople Board of Health defined and classified the manner of dealing with goods, coming from Russian ports, as follows :—Rags, clothing, and bedding to be subjected to disinfection and to a detention for fifteen days in quarantine.

All other merchandise belonging to the class described in the Rules as susceptible of carrying the germ of infection, to be disinfected and detained in quarantine for five days.

*Circular of the Minister of Foreign Affairs to the  
Representatives of the Maritime Powers.*

VISA OF BILLS OF HEALTH, 1874.

You are aware that the Bill of Health, which is delivered at a port of departure, is the fundamental document for all Sanitary Establishments.

Nevertheless, most of the Maritime States continue to maintain the time-honoured custom of requiring the *visa* of their Consuls to be placed on Bills of Health, arriving at their respective ports. The purport of this formality is to provide the public health of the ports of arrival with an additional guarantee of security, and to render restrictive measures, which are hurtful to the interests of shipping, unnecessary for such vessels as may arrive under the above circumstances.

With this view the Ottoman Sanitary Administration **Turkey.** has decided that vessels, destined for the ports of the Turkish Empire, shall be obliged to provide themselves with the *visa* of a Consulate of the Sublime Porte, if they do not wish to expose themselves to the consequences, which will result from the omission of this requirement. Although, when the sanitary conditions are good, an omission of this requirement involves neither fine, nor quarantine properly so called, nevertheless, in time of an epidemic, vessels in default may become liable to additional quarantine requirements. Asking you to convey this decision to the knowledge of the merchant navy . . . that the same may conform to it, I am, &c.

(Signed) RACHID.

*Table of Goods considered Susceptible, and of Goods considered Non-Susceptible, dated May 15th, 1840.*

*First Class.*

Susceptible goods:—Clothes, garments in use, bed furniture, objects of saddlery, and of harness; rags of every sort; wool and the skins of animals, washed or not washed, woven or not woven; cotton in bulk or woven; flax, woven or not woven; cord not tarred, and not composed of osier, or of rush; every kind of silk, whether in piece, or in thread; skins and furs, leather and morocco, cordovan leather; sheep's leather tanned, tanned skins, dried skins; parings, pieces and cuttings of skins, and of other animal substances; down and feathers, hats and other felt substances, hair and horsehair stuffs, drapery, muslin work, and generally, all tissue. Paper of every sort, cardboard, books or manuscripts; artificial flowers,

**Turkey.** glassware, coral, garlands, and generally, all goods which are strung together with a susceptible thread ; utensils of iron or copper, and silks ; sponges, candles, and composite candles ; mummies, living and dead animals ; hot bread.

Doubtful goods :—coral, rough coral, ivory, horns and their raspings, drugs and groceries of every sort, coffee and sugar, tobacco in rolls, roots and herbs for dyeing, vermilion, copper newly worked, and the raspings of new copper, glassware in cases or casks, gall-nuts, seed and vegetables in bags, glutinous fruits.

### *Second Class.*

**Non-Susceptible goods.**

Non-Susceptible goods :—Wheat, grain, rice, vegetables, unpacked or in bags of osier or of rush ; flour, grain which has been ground, bread, tinder, oatmeal ; dry fruit, jam, juice of plants, of wood, of fruits, honey ; fresh fruit ; oil ; wine, liqueurs and generally all liquids ; meat salted, smoked and dried ; potass and saltpetre ; leather wet and salted ; suet, wax ; money and medals ; cheese and grease ; cordage entirely tarred ; osier and rush ; cinders, soda, salt unpacked, or in coverings which are not susceptible ; coal, tar, lampblack, resin, wood in block, posts, planks, casks, cases, &c. ; preparation of nut-galls, material for painting and dyeing ; new goods in glass or pottery ; minerals, earths, inferior coal, sulphur, quicksilver, lime, fossils and objects taken out of the sea ; metals in pieces, or in lumps. All objects composed of different substances, which are themselves non-susceptible.

NOTE.—Care must be taken to separate exactly from these goods and merchandise, by means of sieves

all that which is of a susceptible nature (for corn). As **Turkey**. to money, and medals in metal, they are soaked for five minutes in strong vinegar.

*Particular details with respect to certain parts of the Ottoman Empire.*

ALEPPO.

Bills of health are given, by the quarantine doctor to **Aleppo**. Turkish ships, and by Vice-Consuls to foreign ships, without formalities, the health of the place being undoubted, in so far as infectious or contagious diseases are concerned.

BEYROUT.

Plague and cholera render all arrivals subject to **Beyrout**. quarantine. The first entails a quarantine of twenty-one days, the second, of ten days. For vessels having a medical officer (*médecin sanitaire*) on board, the passage days are counted as quarantine in the case of cholera, in that of the plague they are not counted. No other exception is made, either in favour of men-of-war or of yachts carrying personages. According to the regulations, thirty days after the last case suspected, arrivals are in free pratique, but the Intendance-Générale generally modifies this disposition. There is a lazaret. Cargoes are sent to the lazaret. Susceptible merchandise are, in general, stuffs of all kinds, silks, skins, cotton, hemp, &c. Purification is effected either by ventilation, or by fumigation as occasion requires. Upon the arrival of a ship in quarantine the crew are visited. No flying cordons (*cordons volants*) exist, except upon the frontiers of Egypt, between Gaza and Hebron.

**Turkey.****BROUSSA.****Broussa.**

It may be premised that the outports on this coast, the principal of which are Ghio (or Ghemlek), Mundania, Mitralitz, and Panorma may be classed as having merely a coasting trade—it being very rare that they are visited by foreign-laden vessels, or such as are freighted to load produce direct for other countries. They invariably also first pass through Constantinople, from whence the voyage is only a few hours by steam, and protracted more or less according to the weather, for sailing vessels. But it is the duty of quarantine officers, at any of those stations, to see that all vessels or boats arriving have a proper pass from their place of departure, and which would denote whether there was any disease there to constitute foul bills. There is no country nor port from which arrivals at those ports are at all, or any times, subject to quarantine, irrespective of their having clean or foul bills. Plague occurring on board any vessel arriving at those ports, would subject it to quarantine, and for such period of detention, as after reference to the Board of Health at the capital, might then be directed. A case of cholera might occasion the like treatment, under any express orders at the time providing for it. The report of a medical officer on board any vessel, if a casualty happened to come under notice, would certainly be taken into consideration. There would be no interference with ships of war, and, on the arrival of any royal personages, foreign Ambassadors, and high Turkish functionaries, quarantine officers would be very cautious of interfering with their pleasure or convenience. And much or all might depend on the respect, voluntarily paid to regulations, by any per-

sonage of conspicuous rank, and coming in a yacht. **Turkey.** There are no lazarets. Steamers on departure for Constantinople should be first visited, and the Turkish passes, called *teskérts*, of each passenger inspected by the quarantine officer. But this is loosely done. Masters of steamers, and all sorts of craft, are bound to be provided with the customary clearance on leaving port. No infraction of quarantine followed by the infliction of a penalty is known in this district; and it has been stated that the observance of quarantine regulations has almost been dispensed with. Save some former isolated quarantine stations inland, no sanitary cordons have been adopted against the introduction of pestilential diseases.

#### CAIFFA.

All vessels which arrive here with foul bills of health, **Caiffa.** are obliged to proceed to Beyrout or to Jaffa, for the purpose of examination, and the performance of quarantine, if necessary. The officer here receives special instructions in particular instances. There is no lazaret at Caiffa or at Saida.

#### LARISSA.<sup>70</sup>

No quarantines are performed at Larissa. Arrivals at **Larissa.** the place, when any quarantine prevails, previously perform it either at Volo, the principal seaport of the province, or at the quarantine stations on the Turko-Greek frontier. All arrivals at those places, from whatsoever quarter, with clean bills of health, are admitted to free

<sup>70</sup> This place is now part of the Turkish dominions, but it is questionable whether it will still continue to be so.



**Turkey.** pratique at all times. Plague, cholera morbus, and yellow fever, render all arrivals subject to quarantine. The quarantines from places where plague exists, are for laden vessels, with foul bills of health, twenty days ; for vessels in ballast, fifteen days ; for laden vessels, with suspected bills of health, fifteen days ; in ballast, ten days ; for cholera, five days in all cases. A vessel having a medical officer on board, arriving from a place with a bill of health declaring the existence of cholera, has the number of days of her voyage counted as quarantine. Thirty days must elapse after the occurrence of the last case is certified, before arrivals of a place where plague has existed are admitted to free pratique. To arrivals from places where cholera has existed, free pratique is granted on presentation of clean bills of health. There is no lazaretto at Larissa. For arrivals by sea there is a lazaret on shore at Volo. For arrivals by land there are three temporary lazarets near to the Greek frontier at Soorbi, Domoko, and Kastanyia. The inmates can take exercise in the immediate vicinity of the buildings under supervision of the quarantine guards at each establishment. All cargoes or goods, arriving with foul or suspected bills of health, must enter the lazaret and remain there until the expiration of the period of quarantine. The means adopted for purification are ventilation and fumigation. The medical officer of every quarantine establishment in Turkey, is bound by the regulations, to afford his assistance to any sick undergoing quarantine. The quarantine medical officer assists the sick without making any charge. The patients pay for medicines, except in cases of indigent persons, when they are provided at the cost of the Government.

**MYTILENE.****Turkey.**

As a general rule, vessels arriving from whatsoever **Mytilene**. port with clean bills of health are admitted into pratique. Plague, cholera, yellow fever, and pustules of a malignant nature, when they reach the epidemic stage, render all arrivals subject to quarantine; it does not rest with the sanitary authorities to determine the extent of quarantine, it varies according to instructions which, on application, are received from the sanitary authorities of Constantinople, and until such instructions arrive, the vessel is kept in quarantine. In cases where vessels have a medical officer on board, instructions are applied for to Constantinople as to whether the quarantine will have to count from the date of its departure from an infected port, or from the date of its arrival at Mytilene. The same rule is applicable to men-of-war. No exception is made for members of royal families, ambassadors, &c.

Pratique is never granted unless the measure of quarantine has been counter-ordered from Constantinople. The lazaretto is situated at the southern extremity of the port. Goods and merchandise arriving from infected ports are never landed in the lazaretto; they are allowed to remain on board, and are landed in free pratique after the vessel has performed its quarantine. There is a health officer doctor, part of whose duty it is to attend on all those who call for his professional assistance in quarantine. If the individual is a pauper, the Government defrays the expense for medicines and nourishment. No inspection is ever made of the sanitary condition of vessels. Vessels not being subjected to an inspection, no certificate is ever given. There is no regular code of

**Turkey.** regulations, measures are adopted according to circumstances by the local authorities, who, however, are mainly guided in their acts by the instructions that come to them from Constantinople: these instructions are frequent, but have often been contradictory.

#### TREBIZOND.

**Trebisond.** There are certain regulations left to the discretion of the quarantine employés. Arrivals from Circassia and Abassah are alone subjected to a quarantine of ten days, owing to small-pox being constantly prevalent at those places. There being no sanitary establishments on the two coasts in question, vessels arrive here without bills of health. Plague and cholera render all arrivals subject to quarantine; for the former, twenty-one days, and the latter, fifteen days would be imposed. Small-pox occurring during the voyage would subject arrivals to ten days' quarantine, irrespective of the bill of health from the last place of departure. All vessels having a medical officer on board find advantage therefrom. Men-of-war and yachts, provided the latter carry surgeons, would be subjected to a shorter period of quarantine than merchant vessels. No exception is made in favour of royal personages or other high functionaries. Two or three weeks after a disease has ceased to exist, clean bills of health are issued. At the expiration of that term, free pratique is granted. There is one lazaretto. All goods arriving from the Circassian and Abassah coasts are placed in quarantine without distinction. No means of purification exist. If sickness occurs in a vessel undergoing quarantine, nature is allowed to take its course. No

inspection is made; no record is kept. Clean bills **Turkey.** of health are granted without previous inspection. Frequent instances of infraction of quarantine have occurred, but no punishment has been inflicted, beyond seizing the guilty and confining them in the lazaretto.

#### VOLO.<sup>71</sup>

All arrivals from Tripoli, at all seasons of the year, **Volo.** whether the bill of health be clean or foul, are subject to fifteen days' quarantine. Arrivals from Egypt with clean bills of health are subject to five days' quarantine. The plague, Asiatic cholera, and yellow fever render all arrivals subject to quarantine; plague, fifteen days; Asiatic cholera, ten days; yellow fever, seven days. The days of the voyage are reckoned as quarantine. Ships of war and yachts can perform quarantine wherever they please; merchantmen in those places only where there are quarantine stations of the first class. Persons of distinction can perform quarantine in secondary lazarets. There is a sanitary medical officer. Medical assistance is provided at the public cost. A vessel from a suspected coast or in a sickly condition is thoroughly cleaned and ventilated. A record is kept of the sanitary condition of vessels put in quarantine.

#### EGYPT.<sup>72</sup>

The rules of the Ottoman Empire have full force in **Egypt.** Egypt. The only reference to quarantine in the new Egyptian Codes for the use of the International tribunals,

<sup>71</sup> This place is now part of the Turkish dominions, but it is questionable whether it will still continue to be so.

<sup>72</sup> See also p. 374.

**Turkey.** is in section 148 of the Maritime Code, which enacts that a passenger on board a vessel, if taken ill with a contagious illness, is to be landed, even against his will, on the first inhabited spot where the vessel may touch. There is a lazaret at Alexandria, on the desert towards the sea, which has warehouses for the *spurgo* of merchandise, and sufficient rooms to hold a thousand persons, besides the hospital, pharmacy, an office, dwelling for the officers, &c. There are advantages in the case of ships of war, yachts, and vessels which have a surgeon on board. Since 1831 several sanitary cordons have been established to prevent the propagation of the plague or of cholera. As a fact only ships coming from Benghasi and Barbary are placed in quarantine.

In February, 1879, it was ordered that, in consequence of the appearance of plague in Russia, vessels arriving in Egypt from the Black Sea and Sea of Azov, with clean bills of health, would be subjected to three days' quarantine of observation and medical inspection, and that such vessels, with foul bills of health, would be repelled, as there is no lazaretto on the Mediterranean coast of Egypt; also that, on account of typhus in Roumelia, vessels arriving from Turkish ports between Gallipoli and the Greek frontier, including the adjacent islands, were to undergo medical inspection, and that susceptible goods brought by them were to undergo disinfection in Egypt.

#### RHODES.

**Rhodes.** If the bill of health is clean, free pratique is allowed; if with a foul or suspected bill, arrivals are subjected to the foul or suspected regimen, unless orders are sent from the general administration to make a provisional

quarantine of a few days only. Arrivals from a place **Turkey.** where plague, cholera morbus, or yellow fever prevails, must undergo quarantine. For plague, when this disease has not taken place during the voyage, fifteen days are imposed for the passengers, and twenty days for the goods, which in this case come under the head of "susceptible." Only three passengers chosen by the captain have the privilege to perform their quarantine on board. For cholera morbus, passengers only are subjected to five days' quarantine, which they can undergo on board the vessel if they so wish, in the event of the disease not having taken place during the voyage. But if it broke out during the voyage, passengers, without distinction, are landed at the lazaret, and subjected to ten days' quarantine. Goods on board a vessel under quarantine, not requiring purification, cannot be given up before the vessel has got free pratique. If a vessel leaves Rhodes before her term of quarantine is completed, the goods intended for this island are deposited in the lazaret warehouse, where they are kept five days. A vessel arriving at Rhodes, on board of which a case of cholera has taken place during the voyage, cannot proceed to any port or country before undergoing the required quarantine. The mail steamers, however, are permitted to continue their voyage in quarantine, after having landed their passengers at the lazaret. Eight days' quarantine are enforced for passengers arriving from a country where yellow fever is prevalent. The number of days taken up on the voyage are calculated as days of quarantine, and the goods subject to the same regulations as the arrivals with cholera morbus on board. If the yellow fever has broken out on board a vessel during the voyage, the said vessel, her passengers,

**Turkey.** and goods, are subjected to the foul regimen, the same as the arrivals from a country where a plague exists. Besides these three diseases, for which arrivals have to undergo quarantine, vessels from America and the northern coasts of Africa, laden with raw unsalted hides, are not admitted immediately for free pratique. Such hides are landed at the lazaret, where after being fumigated with sulphur for three hours, and carefully shaken by porters appointed for this purpose, the hides are then given up to the proprietor. Vessels with cargo undergo a fumigation inside of three hours, and then a quarantine observance of two days. The crews and passengers are subjected to two days' quarantine, which they can undergo on board. Vessels arriving with other diseases, which have taken place during the voyage, are not subjected to quarantine, unless the doctor, or the establishment from particular circumstances, thinks it necessary to adopt any precautionary measure. If any individual dies on board a vessel during the voyage whose corpse has not been kept, the vessel, with all her crew and passengers, if any, must undergo ten days' quarantine. The foul regimen, however, is enforced if the character of the malady is found to be virulent. Vessels which during their voyage have been boarded by pirates, must undergo ten days' quarantine. Vessels of war which capture or search them, are not subject to quarantine on this account. Arrivals from a foreign country without a bill of health are considered foul, and as such subjected to ten days' quarantine, even if they have been months on their voyage, with no sickness on board, as sometimes happens with vessels from England to Rhodes with coals. Vessels of whatsoever nationality from Ottoman ports without a bill of health are considered as

suspected, and have to undergo the number of days **Turkey.** under this head.

For vessels submitted to the foul *regimen*, on account of the plague prevailing, or suspected to prevail in a country, the presence of a doctor on board thereof is not taken into consideration. Vessels from a port or country suffering from cholera morbus, with a doctor on board, enjoys the privilege of having their days of voyage counted as days of quarantine, when a case of cholera has not occurred during the voyage, a privilege granted also to vessels with one or more sanitary guards on board, who have been embarked at the place of departure. The only difference as to the quarantine imposed between men-of-war and merchant vessels is, that the former have three days less to undergo than the latter; viz., twelve days instead of fifteen for foul bills of health, and seven instead of ten for suspected cases. If, however, men-of-war arrive from a country where plague is ascertained to be, they have also to undergo fifteen days' quarantine. Men-of-war of whatsoever nation are not obliged to have a bill of health, the captain's word of honour being deemed sufficient for them to obtain pratique, when the place of their departure is considered clean. No difference is made between private yachts and merchant vessels. For royal personages, ambassadors, naval and military officers of high rank, the Quarantine Officer at Rhodes can make a distinction, by virtue of special instructions; thus, for instance, at the request of the quarantine doctor of this island, he was directed by the general sanitary office at Constantinople to allow every facility on the arrival of His Royal Highness Prince Alfred, in Her Majesty's ship *Euryalus*, if she came from a suspected



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place. Royal personages, ambassadors, naval and military officers of high rank, are allowed to undergo their quarantine at any health office, whilst private individuals can only undergo it at a central office. These central offices are eight.<sup>73</sup> They are situated at Smyrna, the Dardanelles, Salonica, Candia, Beyrout, Rhodes, Prevesa, and Tripoli in Barbary.

When a country or port has been plague-stricken, and the disease has ceased, arrivals therefrom ought, strictly speaking, to be admitted to free pratique. This, however, is not usually attended to; for when a country where plague has been prevalent, although perfectly free from it at the time, the same country is considered as suspected, until a commission sent *ad hoc* declares, after a minute and scrupulous investigation, that the said country or port can be admitted without danger to free pratique. Poor people of whatsoever nationality are lodged and fed at the expense of the Turkish Government. Goods which arrive from a foul or suspected country are invariably put into the lazaret warehouse, where they are ventilated, daily manipulated, removed by the guards appointed for this purpose, and fumigated, as required by the regulations. Twenty-one days' quarantine are imposed for foul, and fifteen days for suspected goods. The following are the goods considered to be susceptible :—Wool, cotton, linen, untarred rope, silk and manufactures in general; furs, skins, and every animal substance; feathers, clothes, hair and every kind of animal fur; woven stuffs in general; paper, books, artificial flowers, objects sewed with susceptible

<sup>73</sup> Cyprus formed a ninth office, but the author is unaware whether, since the administration of that island by the British Government, this office has been continued by the Porte.

substances ; sponges, hardware, candles ; animals, dead or **Turkey**. alive ; mummies, new bread, and other similar articles ; manufactured coral, ivory, horns, drugs, colonials of every description ; tobacco in bales, resin, dye-woods, new copper, glass in cases, gall-nuts, vegetables in grain and sacks ; glutinous fruits, and in general every other object which, if not susceptible in itself, might, by being mixed with susceptible articles, attract infection therefrom ; cereals, and all goods in bulk ; medals, coins, and other metal articles, though not considered susceptible, are thrown into vinegar-and-water for a few minutes.

Sick persons on board vessels in quarantine, and in the lazaret, are under the care of the quarantine doctor, who visits them gratis. When a vessel arrives from a foul or suspected place, or in a state which renders her subject to quarantine, all the crew and passengers are inspected by the quarantine doctor, after which the necessary guards are sent on board, where they at once employ such measures as are required for the cleanliness and ventilation of the vessel. A special register is kept by the quarantine doctor of all vessels put in quarantine. Vessels leaving Rhodes with a clean bill of health are not previously subjected to any inspection by the quarantine doctor. The masters thereof seldom embark sick seamen and passengers. If under the necessity so to do, they always ask for and obtain a certificate from the quarantine doctor, in which the malady of the sick person is stated not to be of an epidemic or contagious character, which certificate is delivered to them after a previous medical visit. Except in such cases, vessels leaving Rhodes with a clean bill of health are never furnished with any other special documents. In the case of open infraction of quarantine, the offender, after under-

**Turkey.** going a double quarantine, would be handed over to the local authorities, if an Ottoman subject, or to his consul if a foreign subject, for punishment.

#### TRIPOLI.

**Tripoli.** The quarantine system is the same as in Egypt. For the plague, the quarantine of men-of-war is shorter by three days than on merchant vessels.

For the cholera, the days of the voyage are included when a medical officer is on board.

For thirty days after the plague has ceased in a place, all bills of health delivered at the Health Office are still considered to be foul ; after that period they remain suspected until orders are received from the Supreme Board of Health of the Empire.

There is a lazaret on the mole of the harbour 300 yards from the walls of the town. With the exception of being in a very damp situation, it is well ventilated and airy. About twenty yards from the lazaret is the *parlatoire*, where the masters of vessels arriving, are interrogated previously to being admitted to pratique. Letters are fumigated. The apartments are quite unfurnished, and the inmates must prepare and cook their own food. Cargoes are sent to the lazaret. The division of articles into susceptible and non-susceptible classes is retained. When sickness occurs in a vessel in quarantine, the quarantine physician attends, but without communicating with the sick directly, and at the cost of the patient. In 1858, a cordon was placed on the eastern frontier of the province of Tripoli to prevent the introduction of the plague from Bengazi. The organization of the cordon was so imperfect that no inference can be drawn from it. Happily

the province was preserved from the pestilence. At that **Turkey**. time arrivals, not only from Bengazi, but also from Malta, were put in quarantine.

#### TUNIS.

By regulations made the 8th June, 1875, with the **Tunis**. approbation of His Highness, the Bey of Tunis, it is enacted as follows :—

The plague, yellow fever, and cholera are the three illnesses which require quarantine, on account of the port of departure of a vessel. Measures for typhus and small-pox may be taken as found necessary. Every master of a ship, before leaving his port, must be provided with a bill of health delivered, or *viséd*, by the consul of his nation. Ships, on leaving Tunis, are visited by the sanitary authorities, with the approbation of the consular agent of their nation. Ships of war are not subject to these visits. The Board of Health may order the merchandise on board to be overhauled, and for spoilt provisions to be burnt or submerged in the sea, before a ship is admitted to free pratique, and for the ship to be cleansed, ventilated, and disinfected, and, lastly, to be sent to a lazaret.

Quarantine is divided into quarantine of observation, and strict quarantine. Neither quarantine can be undergone in a port where there is not an officer of health. Vessels are subject to quarantine of observation in the following cases :—

1. If they have no bills of health. If the ship comes from a place which is healthy, and is in a good sanitary condition, this quarantine shall not exceed five days.
2. Ships coming from suspected places, but without sickness having occurred on board during the passage.

**Turkey.**

3. Those ships which, having a clean bill of health, are found on arrival to be in a bad or suspected sanitary condition.

Quarantine of observation begins for the ship and all within her, as soon as the health guard has been placed on board. This quarantine does not oblige the discharge of merchandise into a lazaret. The ship is kept apart in the port, and the goods of the passengers and crew are subjected to ventilation. The Board of Health may order any other means of disinfection which they may think necessary.

Strict quarantine is always enforced on vessels, which come from a country where the plague exists. Yellow fever and cholera are subjected to this quarantine, if death or an importable illness, has occurred on board. This quarantine, in case of plague, must be performed at the lazaret, but in case of other illnesses may be performed on board ship. Quarantine may be kept in an intermediate port, between the port of departure and the port of arrival, and, on giving proof of this, the vessel will be admitted to free pratique ; but if this quarantine should be shorter than that of Tunis, the vessel may be caused to complete the difference.

For the plague, the quarantine is forty days after arrival, and the merchandise is deposited at the lazaret.

Yellow fever and cholera, when there has been death or illness on board, are subject to twenty days' quarantine; when cholera or yellow fever has not occurred on board, the period is ten days of observation, with ventilation and purification of merchandise, without unloading it at the lazaret. Ships, from places intermediate or neighbouring to those, where an importable illness prevails, may be submitted to a quarantine of observation from three to eight

days. A ship which has a doctor on board, and has **Turkey.** been without death or suspected illness during the passage may deduct the days of passage from the quarantine.

Merchandise is divided into three classes :—

1. Cloth, clothes, rags, leather, skins, feathers, horse-hair, wool, silk, and remains of animals. These must undergo quarantine.

2. Cotton, hemp, and linen. These are liable to quarantine, if ordered by the Board of Health.

3. Everything not comprised in the two classes above mentioned belongs to the third class, which is exempt from all quarantine.

In every case of a foul bill of health, letters and papers are disinfected with the necessary precautions that the writing may not be injured. The representatives of foreign Governments, and post-office officials, may be present at the disinfection of letters belonging to subjects of their nation. In case the plague, yellow fever, or cholera should declare itself in the lazaret, or in a vessel in quarantine, the quarantine must commence afresh. Commanders of ships of war which are anchored a mile and a half from shore, may be admitted to pratique on giving their words of honour that the health of their respective crews are good ; they should send a doctor or an officer to land to show the bill of health.

A doctor is attached to the lazaret to attend to the sick gratuitously. Persons who have been ill of a contagious disease, and have recovered in the lazaret, commence their quarantine from the date of their recovery. Every vessel, on arrival, is subject to inspection and interrogation.

In February, 1879, the Regency of Tunis imposed a quarantine of twenty-one days upon arrivals from any

part of the Ottoman Empire, including Egypt, and established a sanitary cordon, in order to prevent communication by land between Tripoli and Tunis.

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### THE UNITED STATES.<sup>74</sup>

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Each State of the Union has hitherto had its own separate and independent regulations respecting the practise of quarantine, and these regulations have been framed in each without regard to what were in force in any other State. The result has been a general want of uniformity. Notwithstanding the diversity of local Acts in different States, and the nominal stringency of the regulations in some, the practise of quarantine in American ports has seldom or never been so vexatious and oppressive as in most countries of Europe, in consequence chiefly of the ample discretionary powers vested in the medical officer and Local Board of Health, responsible to the community by their annual reports.

The State Quarantine Act of February 25, 1799, contains provisions of which the following is an abstract:—

s. 1. The quarantine and other restraints established by the health laws of any State, or pursuant thereto, respecting vessels arriving in or bound to any port or district thereof, are required to be duly observed by collectors and all other officers of the revenue of the United States, and by masters and crews of revenue-cutters, and by military officers in any port or station upon the sea-coast. Such officers are authorized and

<sup>74</sup> See p. 377.

required faithfully to aid in the execution of such quarantines and health laws, according to their respective powers and precincts, and as they shall be directed from time to time by the Secretary of the Treasury of the United States. The Secretary is authorized, when a conformity to such quarantines and health laws shall require it, and in respect to vessels which shall be subject thereto, to prolong the terms limited for the entry of the same, and the report or entry of their cargoes, and to vary or dispense with any regulations applicable to such reports or entries. **United States.**

s. 2. When by the health laws or regulations of a State, any vessel arriving within a collection district of such State shall be prohibited from coming to the port of entry or delivery for such district, and it shall be required or permitted by such health laws that the cargo of such vessel be unladen at some other place within or near to such district, the collector may grant a permit for the unloading thereof at some other place where such health laws shall permit.

s. 3. There shall be purchased or erected, under the orders of the President of the United States, suitable warehouses, with wharves and enclosures, where goods and merchandise can be unladen and deposited from any vessel which shall be subject to a quarantine or other restraint, pursuant to the health laws of any State as aforesaid, at such convenient place or places therein as the safety of the public revenue and the observance of such health laws may require.

s. 4. During the prevalence of any contagious or epidemical disease in the port of entry for any collection district, the Secretary, or in his absence the Comptroller of the Treasury of the United States, may authorize the



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removal of the collector, and the officers employed in his department, from such port, to any other more convenient place within or as near as may be to such collection district, where such collectors and officers may exercise the same authorities, and shall be liable to the same duties, according to existing circumstances, as in such lawful port or district, and of such removal public notice shall be given as soon as may be.

s. 5. It shall be lawful for the judge of any district court of the United States within whose district any contagious or epidemical disease shall at any time prevail, so as, in his opinion, to endanger the life or lives of any person or persons confined in prison of such district, in pursuance of any law of the United States, to direct the marshal to cause the person or persons confined as aforesaid to be removed to the next adjacent prison where such disease does not prevail, there to be confined until he, she, or they may safely be removed back to the place of their first confinement: which removals shall be at the expense of the United States.

s. 6. In case of the prevalence of a contagious or epidemical disease at the seat of the Government, it shall be lawful for the President of the United States to permit and direct the removal of any or all the public offices to such other place or places as, in his discretion, shall be deemed most safe and convenient for conducting the public business.

s. 7. An adjournment of the supreme court, circuit court, or district court is authorized, whenever the prevalence of such disease renders it hazardous to hold session.

## NEW YORK.

The quarantine department of New York consists of <sup>United</sup> a boarding station at Clifton, on Staten Island, a station <sup>States.</sup> ship anchored four miles below the Narrows, and two artificial islands, Hoffman Island and Dix Island. There is a burying-place at Seguin's Point. Hospitals are on Ward's and Blackwell's Islands.

All vessels arriving from a foreign port during the entire year, and all vessels from any place in America in that ordinary range from which they pass south of Cape Henlopen, arriving between 1st April and 1st November, and all vessels on board of which any person shall have been sick of a disease liable to quarantine, are subject to the visitation, inspection, and decision of the health officer of the port. After inspection they are permitted to proceed without detention if free from contagious disease. In case of infectious disease being on board, the measures taken depend on the particular case. The sick are removed to one of the lazarets termed "Quarantine Hospital," and if there is no further danger apprehended the vessel is allowed to pass. In summer, with yellow fever on board, and from a port where yellow fever prevails, the vessel discharges her cargo in lighters in the stream before going to dock, and is carefully cleansed and her bilges washed, besides being thoroughly disinfected and ventilated. The decision in each case depends on the circumstances. If a single case of cholera occurred on board a vessel before its arrival, and a period elapsed equal to its time of incubation, which was followed by no other cases, a detention would be ordered long enough to furnish an accurate and thorough inspection of the vessel, her

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condition, and her passengers. But in the case of an extensive and fatal epidemic occurring on a vessel arriving in warm weather, every person would be removed to Hoffman Island, and the vessel, after purification, permitted to proceed to the city. The people from her would be detained until no more disease appeared, those who became sick being at once removed to Dix Island in the steamboats which are kept for that purpose. This system is found to entail the least detention and fatality possible.

It is especially against the risk of the introduction of yellow fever from the South during the summer months that the precautions are directed. No distinction in the quarantine imposed is made in favour of any vessels; and the presence of a medical officer on board cannot influence or modify the decision of the Board of Health, with whom rests the measures to be taken in all cases. When the cessation of a disease in the port of departure has been officially announced, free pratique is at once granted, except the disease be yellow fever, in which case the quarantine restrictions remain in force between April and November.

Sailors and emigrants are gratuitously attended. Citizens are provided for at their own expense, and if, unable to pay, at the expense of the vessel if passengers, or at the expense of the city if residents thereof. No sanitary cordons are adopted on land, except in case of districts infected with yellow fever, and then by interdicting the visitation of infected localities.

The administration of quarantine regulations is vested in the city Board of Health, which consists of the Mayor and the Commissioners of Health. Large discretionary powers are left to the Board.

**BOSTON.**

Emigrant vessels from Europe are subject to a quarantine at all seasons ; also, during the summer months, vessels from the West Indies and the Southern ports, if sickly. The diseases for which vessels are liable to be detained are ship fever, cholera, yellow fever, and small-pox. The sick are removed to the hospital on shore, and the ship is detained to be thoroughly cleansed and purified. The quarantine hospital is on Deer Island. Medical assistance is provided for the sick on board vessels at the public expense. Vessels on arrival are visited by the medical officer, who makes a thorough inspection, and if they are found foul or badly ventilated, the hatches are ordered off, the vessel thoroughly pumped, the hold and between-decks fumigated and repeatedly washed.

**United States.****PHILADELPHIA.**

Under the Act passed January, 1818, for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, the existing quarantine regulations appear to be framed. Their execution is vested in the Board of Health. Physicians are appointed ; one resides at the lazaret. All vessels are subject to quarantine inspection from 1st June to 1st October, when there is no epidemic disease in their ports of departure ; otherwise the inspection is continued till the setting in of frost. Unless actually infected they are not detained. All contagious or infectious diseases, especially yellow fever and small-pox on board, render vessels liable to

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quarantine. The duties of the lazaret physician will be seen from the following rules :—

“ On boarding the vessel, he shall assemble the crew and passengers on deck, and examine personally into the state of their health ; such as may be sick to be visited below. Such vessels as, upon a close examination (which must be minute, strict, and accurate), he shall ascertain to have arrived from healthy ports, with a healthy crew, to be in a perfectly clean condition, to have a sound cargo, not liable to produce infection, and that no person has died on board during the voyage of any malignant, contagious, or otherwise suspicious disease, shall at once be permitted up, he giving to the master thereof a certificate of the facts. In every case, previously to permitting a vessel to pass up, he must ascertain that the bilge water has been changed by pouring fresh water into the pumps and continuing to work them until nothing but pure water is discharged. No vessel whatever is to be permitted up until her bilge water is rendered perfectly pure. All vessels not answering to the above description he shall detain, and wait till the orders of the Board of Health be ascertained. Sick persons, however, are to be landed (at the marine hospital) without delay ; ventilation of the hold, cabin, and forecastle to be at once commenced, and all articles of an offensive nature taken from on board.”

Cargoes are occasionally landed at the lazaret and placed in the State storehouses, where they are purified when necessary. Bills of health are not generally given to vessels leaving. No previous inspection is made. No sanitary cordons are employed.

## BALTIMORE.

The Quarantine Ordinance (1849) enacts that "it shall be the duty of the marine hospital physician or his assistant to carefully inspect the condition of all passengers and passenger ships or vessels arriving at this port from foreign countries, and whenever, in their opinion, the health of the city may be endangered, whether from the actual presence of the disease, or from an unclean condition of the ship or passengers, to require such ship to come to anchor at the quarantine ground, and there remain until all the passengers have been removed, and the ship thoroughly cleaned and purified ; all expenses of purification and removal, and all other expenses incurred by the marine hospital physician, to prevent the introduction or propagation of contagious or infectious disease, to be paid by the master, owner, or consignee of the ship. The marine hospital physician or his assistant may, when either of them deem it necessary to prevent the propagation of small-pox or varioloid disease among the crew and passengers of a vessel, vaccinate any of the said crew and passengers." No distinction is ever made in favour of any arrivals. Cargoes from greatly infected vessels are landed at the lazaret. Wool, cotton, hair, and hides are considered especially susceptible ; also rags, whether loose or in bales. Silk, linen, and paper are considered susceptible in a less degree. Those portions of a cargo of an infected ship likely to retain the infection are landed and duly ventilated ; the vessel and rest of the cargo are purified by ventilation, fumigation, &c., and detained in quarantine, at the discretion of the physician. All the sick are at once removed to the marine hospital ;

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the rest of the crew and passengers are detained on board as long as may be required for safety.

#### RICHMOND.

Vessels arriving from the West Indies, or any port on the American Continent south latitude of Cape Henry, or from any port of the coast of Africa, are examined by the health officer before being allowed to proceed to the city, between the 1st of May and 1st of November, whether their bill of health be clean or foul. Vessels having had during the voyage, or having on arrival, cases of yellow fever, African fever, cholera, small-pox, or typhus, are liable to be examined by the health officer, without regard to season or port of departure. The quarantines imposed are determined by the quarantine officer and Board of Health. In the case of men-of-war and yachts from suspected ports, but with no sickness on board, the crew are at once allowed free pratique, while the ship may be detained in observation for from two to ten days. An inspection of foul ships is always made and the needful purifications employed. Before giving a clean bill, the health officer examines the vessel, and gives a certificate, countersigned by the consul of the nation to which she belongs.

#### SAVANNAH.

The existing quarantine regulations are based upon an Act of 1793; divers additions and modifications have at different periods been made, without materially affecting their nature; they are directed chiefly against yellow fever and small-pox, and their execution appears to be

left to the discretion of the health officer and Board of Health. There is a lazaret. Cargoes are not landed. Medical assistance is provided for the sick at the public expense. No sanitary inspection is made of vessels prior to granting bills of health. United States.

### CHARLESTON.

By the second section of an Act of General Assembly (passed the 6th day of September, 1868), establishing quarantine at Georgetown, Charleston, and Hilton Head, it is enacted—

1. "All vessels from any place where pestilential, contagious, or infectious disease existed at the time of their departures, or which shall have arrived at such place and proceeded thence to either of the said ports, or on board of which, during the voyage, any case of such disease shall have occurred, arriving between the 1st day of May and 1st of November, shall remain at quarantine for at least thirty days after their arrival, and at least twenty days after their cargo shall have been discharged, and shall perform such other quarantine as the health officers shall prescribe."

2. "All vessels from any place (including islands) in Asia, Africa, or the Mediterranean, or from any of the West Indies, Bahamas, Bermuda, or Western Islands, or from any place in America, in the ordinary passage from which they pass south of Hilton Head; and all vessels on board of which during the voyage or while at the port of their departure, any person shall have been sick, arriving between the 1st day of May and 1st of November, and all vessels from a foreign port, and not embraced in the first subdivision of this section, shall, on arriving



**United States.**

at the quarantine ground, be subject to visitation by the health officers, but shall not be detained beyond the requisite time for due examination and observation, unless they shall have had on board during the voyage some case of infectious, contagious, or pestilential disease, in which case they shall be subject to such quarantine and regulations as the health officers may prescribe."

3. "All vessels embraced in the foregoing provisions, which are navigated by steam, shall be subjected only to such length of quarantine and regulations as the health officer shall enjoin, unless they shall have had on board during the voyage some case of infectious, contagious, or pestilential disease, in which case they shall be subject to such quarantine as the health officers shall prescribe."

The first clause should be considered as imperative. All vessels from any port where, at the time of their departure, any infectious, pestilential, or contagious disease prevails, whether the crew and passengers have been healthy or not, must be quarantined for at least thirty days after arrival, and at least twenty days after discharge of cargo. The second clause admits all vessels from the ports named in the section, and they are detained only for visitation and examination by the health officer, unless they shall have had on board during the voyage some case of disease in the foregoing clause. The third clause, in regard to steam vessels, is entirely discretionary, unless they shall have had on board during the passage any of the prescribed diseases. There is a lazaret.

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**MOBILE.**

Yellow fever is the only disease for which quarantine <sup>United States.</sup> is imposed. The quarantine is left to the judgment of the medical officer; generally he visits the vessel, and if no disease is apparent among the crew and passengers, he permits her to proceed to the town. If disease has developed itself, the vessel is detained in the bay until the sick are recovered. Small-pox patients are required by the municipal regulations at all times to be sent forthwith to the pest-house. There is a ship moored in the bay, and open for the reception of all cases of sickness. When yellow fever appears in a vessel in the bay, the Board of Health sends down a physician to attend the sick and to examine the vessel.

**NEW ORLEANS.**

The Act to establish quarantine for the protection of the State bears date March 1855. From on or about the 15th of April, all arrivals from Rio Janeiro, the West Indies, and the Gulf of Mexico are liable to a quarantine of not less than ten days, whether the bill of health from these places be clean or foul. This quarantine continues usually to the end of October or beginning of November. After that date, and until the next proclamation of the Governor, all vessels are allowed to enter the port at once, unless there is actual sickness on board, without reference to their port of departure, or whether any contagious disease exists there or not. The quarantine station is on the Mississippi. Warehouses are built for the purpose of receiving cargoes, and vessels have to discharge their cargoes

**United  
States.**

there. Quarantine was first established at New Orleans in 1821, the Board of Health having full power to enforce its regulations in the most rigid manner.<sup>75</sup>

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## URUGUAY.

### MONTE VIDEO.

**Uruguay.** The diseases for which quarantine may be imposed are plague, yellow fever, Asiatic cholera, and typhus fever. When the bill of health is suspicious, the quarantine is from three to eight days; when foul, from twelve to eighteen days—counting, in both cases, from arrival. But the Board of Health has the power, and generally exercises it, of modifying the quarantine. For the diseases mentioned above, and for any other which the Board of Health may decide to be dangerous, such as small-pox, scarlet fever, &c., the quarantines are from twenty to thirty days. There is a lazaret on a small island in the middle of the bay. There is no resident medical officer.

<sup>75</sup> The disastrous epidemic of yellow fever, which raged in the United States, and especially in New Orleans, during the last eighteen months, will undoubtedly cause the introduction of new quarantine regulations, for it is asserted to have been proved that, while strict sanitary precautions diminished the number of casualties, complete isolation stopped the disease. It is considered, also, that a thorough supervision of the arrivals, at all ports of the States, is the only means to arrest the future progress of the epidemic.

## APPENDIX.

No I.  

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THE PORT SANITARY AUTHORITY OF THE PORT OF  
LONDON.*Referred to at pp. 237-241.*

NEARLY six years have elapsed since the duties connected with port sanitary work devolved upon the Committee of the Port of London. The responsibilities conferred upon the Corporation as a sanitary authority were duly set forth in a provisional order of the Local Government Board, dated the 17th of September, 1872.

But at that time, from that date, and up to the present time, no specific rules have been framed and issued by the Board as to the manner in which the routine or casualty duties of port sanitary authorities should be performed.

Urban and rural authorities have from time to time been furnished with copies of instructions, official notices, schedules, &c., to assist them in the organization of a novel, and in many respects a difficult, duty.

But port authorities have received no such aid from the State. They are called upon to treat ships as houses in all routine matters relating to the public health; to deal with the importation of epidemic diseases, whether brought from abroad, from other outports, or from the canals of the United Kingdom; to deal promptly with persons affected, and to provide for the fumigation and cleansing of the vessel, and the disinfection or destruction of the bedding and clothing; to superintend the removal of foul cargoes; to examine the drinking water provided for the various crews, both with reference to the place at which it was originally procured, and its present condition; to exercise a general supervision over all school-ships moored in the ports; and to provide for the sanitary safety of all inward-bound emigrants or passengers.

During the past two years the Rivers Pollution Act and the Canal Boats Act have become law, and have increased, or probably will directly or indirectly increase, the responsibilities of port sanitary authorities.

If, as the provisional order recites, it is the duty of port sanitary authorities to execute jurisdiction over *waters* as well as the vessels that float upon them, it would seem evident that all outfalls fouling a port district ought to be watched and suppressed.

The Customs' limits are the limits of the sanitary authority of the port of London, and extend to a point almost opposite the North Foreland; the fiscal examination of passengers, &c., by Customs' officers takes place as high up as Gravesend.

In the absence of any detailed directions issued by the Local Government Board, or by a port sanitary authority, the directions of the sanitary authority of the port of London appear to have been adopted in detail by the out-port authorities generally throughout the United Kingdom.

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#### QUALIFICATIONS OF PORT MEDICAL OFFICER.

The information to be acquired by a port medical officer of health should comprise—

A thorough knowledge of the geography of the port in which he holds office, including its docks and creeks, and all outfalls, whether of sewage or otherwise, up to high-water mark.

A knowledge of the general construction of the hulls of wooden and iron vessels from upper deck to keel, of the general arrangement of the crew spaces, modes of berthing, amount and quality of ventilation, arrangement of latrines, bulk-heads, ports, scuttles, wind-sails, up-casts and down-casts, state of bilges, &c.

Those clauses of the Merchant Shipping Acts, and specially those of the Merchant Shipping Act of 1867, that relate to health of crews.

The sanitary clauses of the Emigration Acts.

The Public Health Act of 1875 and the Acts therein included, so far as they relate to port sanitary authorities.

The scales of diet used commonly in coasters, ocean steam ships, and sailing vessels respectively.

The average number and nationalities of vessels frequenting the port, and the sort of cargoes that they bring.

The kinds and varieties of water-tanks commonly used on board ship.

The sources of water-supply for inward and outward-bound vessels, how delivered on board, and if delivered from tank-boats, the condition of the tanks in those boats.

The average proportion of vessels lying in the jurisdiction that have crews living on board.

A full and continuous knowledge of the weekly and quarterly bills of mortality issued by the Registrar-General of Births, Deaths, and Marriages, and of the causes of deaths of sailors who die at sea.

Early information as to the presence of any special epidemic (as small-pox) in any of our own outports, or in any ports in the basins of the Mediterranean or Baltic Seas.

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#### DUTIES OF PORT MEDICAL OFFICER.

To pay special attention to all vessels, particularly coasting vessels, the crews of which live on board.

To indicate daily, or as may be required, to the sanitary inspectors, such vessels, in order that they may be systematically visited and examined.

To inquire into the water-supply of all vessels in the port, and advise as to its proper sources and stowage.

To superintend the immediate removal from a vessel of any person suffering from any contagious or infectious disease, to the hospital set apart for the purpose by the sanitary authority, or if the sick person is not in a condition to be removed, to isolate the vessel. (*See 29 & 30 Vict., c. 90, s. 29.*)

To superintend the disinfection of all clothing of seamen who have died from any contagious or infectious disease, and to grant a certificate accordingly.

To inspect, under certain circumstances, before landing, all emigrants that arrive in the port from the continent for purposes of transshipment, and to isolate all suspected cases.

To carry out, under the direction of the port sanitary authority, all special Orders in Council relating to the prevention of cholera, or other epidemic diseases.

To obtain all possible information as to, and keep a close account

of, all foreign ports infected with, or suspected of, cholera, and, with the aid of the Customs' officers, to inspect all vessels as they arrive from such ports.

To report to the Marine Department of the Board of Trade, without delay, any defect in cubic space for the accommodation of the crew, the existence of scurvy on board ship, or any breaches of those clauses of the Merchant Shipping Act of 1867 that relate to health of crews.

To advise ship-owners, with the sanction of the sanitary authority, as to any defective sanitary arrangements in their respective vessels, and to consult with them, if requested, as to remedying the same.

To be ready at all times to advise ship-masters as to sanitary arrangements afloat, and specially with regard to the water-supply, the state of the bilges, &c.

To examine and keep a record of all reports respecting examination of vessels handed in by the sanitary inspector, to classify and summarize the same, and to present them to the sanitary authority at each and every meeting.

To attend all meetings of the sanitary authority, and present a synopsis of the work performed since the previous meeting.

To submit to the sanitary authority a yearly or half-yearly report containing a detailed account of all duties performed by the officers.

To examine (if requested to do so by the crew of, or any other person living on board, any ship or vessel) any article of food that is declared to be unfit for human consumption, in order that, if necessary, the order of a justice of the peace may be obtained for the destruction of such article. (*See* 26 & 27 Vict., c. 117, s. 26.)

To obtain the sanction of the sanitary authority under whom he acts before initiating any new line of action, or endeavouring to carry out any special sanitary reforms not hitherto attempted.

To communicate and co-operate in all sanitary matters with the officers of Her Majesty's Customs, the Marine Department of the Board of Trade, the harbour and dock authorities, the river police, and all other authorities concerned in the official business of the port.

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## QUALIFICATIONS OF PORT SANITARY INSPECTOR.

1. A general knowledge of ships and seamen, to which end it is desirable that he should have had some service afloat.
  2. A general knowledge of the scales of diet in common use in coasting and ocean-going ships.
  3. A good geographical knowledge of the port to which he is officially attached.
  4. A conciliatory but decisive mode of conducting inspections, so that the abatement of nuisances or any other sanitary work required to be done by the owners or masters of the vessels may be performed without any necessity for serving a notice or applying for a summons.
- 

## DUTIES OF PORT SANITARY INSPECTOR.

1. To act generally, with the approval of the port sanitary authority, under the directions of the medical officer of health.
2. To inspect and otherwise examine into the sanitary condition of all vessels within the jurisdiction of the port sanitary authority, in accordance with directions given daily, or from time to time, by the medical officer.
3. In pursuance of this duty, to see the officer in charge of each and every vessel inspected, and obtain from him the following particulars :—
  - (a) Name of vessel.
  - (b) Nationality.
  - (c) Sailing, steam, or barge.
  - (d) Where from.
  - (e) Number of crew.
  - (f) Cargo.
4. To examine the closets, heads, and latrines.
5. To examine the quarters of the crew with reference to cubic space, cleanliness, and ventilation.
6. To note the existence of any contagious or infectious disease, and to report such cases immediately to the medical officer.
7. To advise the officer in charge (if there be no medical officer attached to the ship) to send all other cases of sickness to the nearest hospital, if they can be removed without danger to life.



8. To note the existence of any foul cargoes, and to record their descriptions.

9. To call the attention of the medical officer to all sanitary defects observed during each and every inspection.

10. To direct the cleansing of all closets, forecables, &c., in which sanitary defects exist, and to revisit such vessels to see if the directions have been carried into effect.

11. To fumigate and disinfect vessels and clothing as required, and in the manner prescribed by, the medical officer.

12. To serve "Notices" only with the sanction of the sanitary authority or the medical officer.

13. To write out at the end of each and every working day, in an official book of forms prepared for the purpose, an account of duties performed, and to submit the same to the medical officer for examination, in order that these reports may be laid before the sanitary authority at every meeting.

The following is the form in use :—

#### SANITARY INSPECTION OF SHIPPING—PORT OF LONDON.

Date.	Name.	Nation- ality.	Where lying.	Steam, Sailing, or Barge.	Where from.	Number of Crew.	Cargo.	Remarks on Sanitary Condition.

*Examined,*

*Medical Officer of Health.*

*Sanitary Inspector.*

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OTHER FORMS IN USE BY THE SANITARY AUTHORITY  
OF THE PORT OF LONDON.

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PORT OF LONDON SANITARY OFFICES,

DEPTFORD, 187 .

S. E.

Medical Officer of Health.

I hereby certify that the

have been thoroughly fumigated and disinfected, in accordance with  
the provisions of "The Public Health Act, 1875."

*(Signed)*

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*Sanitary Inspector.*

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PORT OF LONDON SANITARY OFFICES,

DEPTFORD, 187 .

S. E.

Medical Officer of Health.

I hereby certify, that I have this day inspected  
passengers on board the

last from , and also the crew, consisting of  
hands all told, that I have examined the  
Official Log Book, and that, according to my own knowledge and  
belief, these persons are in good health, and not suffering from any  
contagious or infectious disease.

*(Signed)*

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*Medical Officer of Health.*

N N

No. \_\_\_\_\_ PORT OF LONDON SANITARY OFFICES,  
PUBLIC HEALTH ACT, 1875. DEPTFORD, S. E.  
Schedule IV. \_\_\_\_\_ 187 .

*To the Master or Officer in charge of the*

TAKE NOTICE, that under the provisions of the Public Health Act, 1875, the PORT OF LONDON SANITARY AUTHORITY being satisfied of the existence of a Nuisance on your Vessel, arising from \_\_\_\_\_ do hereby require you within \_\_\_\_\_ from the service of this Notice to abate the same, and for that purpose to \_\_\_\_\_

If you make default in complying with the requisitions of this Notice, or if the said Nuisance, though abated, is likely to recur, a Summons will be issued requiring your attendance to answer a complaint which will be made to a Court of Summary Jurisdiction for enforcing the abatement of the Nuisance, and prohibiting a recurrence thereof, and for recovering the costs and penalties that may be incurred thereby.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 187 .

Sanitary Inspector.

No. \_\_\_\_\_  
PUBLIC HEALTH ACT, 1875.  
Schedule IV. \_\_\_\_\_

187 .

*To the Master or Officer in charge  
of the*

Sanitary Inspector.

PORT OF LONDON SANITARY AUTHORITY.

\_\_\_\_\_ 187 .

\_\_\_\_\_ 187 .

*Name of Ship*

*To the Master or Officer in charge of the*

THE PORT OF LONDON SANITARY AUTHORITY hereby give you Notice that the Closets and Heads of all Vessels in Dock should be thoroughly cleaned, and kept clean with Carbolic Acid Water.

A Notice should also be forwarded immediately to the PORT SANITARY OFFICE, DEPTFORD, S.E., if any Contagious or Infectious Disease exists on board, or if you have on board any Clothing or other articles that require disinfection.

*By Order,*

HARRY LEACH,

*Medical Officer of Health.*

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OFFICIAL NOTICES ISSUED FROM TIME TO TIME  
BY THE PORT SANITARY AUTHORITY.\*

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The Corporation of London, as the sanitary authority of the port of London, hereby requests all officers of the mercantile marine, masters of ships, pilots, Thames police officers, waterside authorities, and other persons connected with or doing business in the port of London, to forward all communications on sanitary matters in connection with the port of London to Dr. Harry Leach (medical officer of health for that port), addressed to him, at his office at Deptford, S.E., and also to report to that officer, without delay, all cases of cholera, small-pox, or other contagious or infectious diseases that may occur within the limits of the port.

MONCKTON.

GUILDHALL, *August, 1873.*

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The Corporation of London, as the sanitary authority of the port of London, hereby requests agents, owners, and commanders of all vessels arriving in the Thames from Russian, German, Swedish, Norwegian, Danish, French, Belgian, and other ports, with emigrants on board, to give early intimation to Dr. Harry Leach, medical officer of health, as to such arrival, in order that the emigrants may be inspected by him before the vessel hauls into dock, lands her emigrants, or tranships them. Such intimation to be addressed to the

*Port of London Sanitary Office,*

*DEPTFORD.*

MONCKTON.

GUILDHALL, *22nd September, 1873.*

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The Corporation of London, as the sanitary authority of the port of London, hereby requests all owners, agents, and masters of ships, and all others concerned, not to land or cause to be landed in this port any clothes or other effects of seamen who have died during

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\* These notices when issued are posted on all the piers between Kew and Southend, by consent of the Conservancy, the railway companies, &c. ; on most of the chief steamship piers (by consent of the respective owners), and at the dock entrances. They are also advertised in the *Shipping Gazette*, and copies are sent to the Customs, Board of Trade, Conservancy, and police, and are left on board the various classes of vessels to which they respectively refer.

the voyage, or any effects of deceased seamen that have been sent home by Her Majesty's Consuls abroad, and the owners of which have died, or are reported to have died, of any contagious or infectious disease, until due notice thereof has been given to this sanitary authority, addressed to Dr. Harry Leach, port of London sanitary offices, Deptford, S.E., in order that, if necessary, such clothing and effects may be properly disinfected.

MONCKTON.

GUILDHALL, 6th January, 1874.

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*FOUL CARGOES.*

The Corporation of London, as the sanitary authority of the port of London, hereby requests all masters of ships, pilots, Thames police officers, waterside authorities, and all others concerned, to forward intelligence as to the existence of foul or unhealthy cargoes in the port to Dr. Harry Leach, medical officer of health, in order that these cargoes may be promptly dealt with according to the provisions of the Public Health Act. Such communications to be addressed to

*The Port of London Sanitary Offices,*

*DEPTFORD, S.E.*

MONCKTON.

GUILDHALL, July, 1875.

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The Corporation of London, as the sanitary authority of the port of London, hereby requests all shippers of cargoes that are, or are reported to be, in any way injurious to health, to give timely and distinct warnings to masters of the vessels in which such cargoes are about to be shipped, in order that they may make special provision for the health and safety of their crews.

And the masters of all vessels chartered for such cargoes are hereby requested to give notice of the fact to this sanitary authority, in order that these vessels may be inspected without delay. Such communications to be addressed to Dr. Harry Leach, Port of London Sanitary Offices, Deptford.

MONCKTON.

GUILDHALL, 24th August, 1874.

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## NOTICE.

The Corporation of London, as the sanitary authority of the port of London, hereby requests the attention of all owners and masters of vessels frequenting the port to the following recommendations, framed with a view to the prevention of diseases, and nuisances afloat.

*Drinking Water.*

All tanks and casks (particularly casks on deck) containing water used for drinking purposes should be emptied and thoroughly cleansed at least once a month. Casks on deck should be unheaded (and if very foul, also unhooped), scraped, and well scrubbed with hot water containing a little Condyl's fluid. Tanks should be lime-washed.

*Foul Bilges.*

As all vessels carrying cattle, manure, condemned fish, and other objectionable cargoes frequently have foul bilges, two ounces of common fluid carbolic acid in two or three buckets of water should be thrown down, and the vessel thoroughly pumped out after the discharge of every cargo.

MONCKTON.

GUILDHALL, *August*, 1875.

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As small-pox is at the present time prevalent both in the metropolis and elsewhere, the Corporation of London, as the sanitary authority of the port of London, hereby requests all owners and masters of vessels, and all river and dock authorities, to give immediate notice to this authority of the existence, or suspected existence, of small-pox in any vessel in the port, in order that such cases and the vessels concerned may be promptly dealt with in accordance with the requirements of the Public Health Act. All communications to be addressed to

DR. HARRY LEACH,  
*Port of London Sanitary Offices,*  
DEPTFORD, S.E.

MONCKTON.

GUILDHALL, *16th October*, 1876.

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As small-pox still continues prevalent in the metropolis and elsewhere, the Corporation of London, as sanitary authority of the port of London, hereby recommends, as a precautionary measure, that, as long as the epidemic exists, all seamen should be medically examined, in accordance with the provisions of sec. 10, Merchant Shipping Act, 1867.

MONCKTON.

GUILDHALL, 19th July, 1877.

### CORRESPONDENCE.

The subjoined correspondence refers both to the sanitary work of the port of London, and to the Cape of Good Hope.<sup>77</sup>

A copy of the correspondence has been sent to the Colonial authorities at Cape Town.

[COPY.]

"3 AND 4, FENCHURCH STREET,

"LONDON, E.C., 3rd July, 1877.

"GENTLEMEN,—We shall be glad if you will inform us as to what regulations are in force under the provisions of the Public Health Act, 1875, in way of dealing with vessels that arrive in the port of London having on board, or having had on board, cases of contagious or infectious disease.

"Our mail steamer *Taymouth Castle*, which arrived at Cape Town from England on the 28th May last, had a case of small-pox on board, and under regulations in force in that colony she was put in quarantine for twenty-one days, and no one allowed to land. We conceive that in your experience this is a very dangerous system to follow, and should be altered.

"We are, GENTLEMEN,

"Your obedient Servants,

(Signed) "DONALD CURRIE AND CO.

"The Port Sanitary Committee

"of the Corporation of London,

"Port Sanitary Offices,

"Deptford, S.E."

<sup>77</sup> See *ante*, p. 273.



[COPY.]

"JULY 4TH, 1877.

*"To Messrs. Donald Currie and Co.*

"GENTLEMEN,—I am directed by this port sanitary authority to acknowledge the receipt of your communication of the 3rd inst., asking for information as to the regulations in force under the provisions of the Public Health Act of 1875, in way of dealing with vessels that arrive in the Port of London, having on board, or having had on board, cases of contagious or infectious disease.

"In reply thereto I am to state that, under the circumstances above recited, the following steps are taken:—

- "(1.) The vessel is boarded as soon as possible after she has anchored, or has come to moorings, by one of the officers of this authority.
- "(2.) All persons not sick are allowed to land immediately.
- "(3.) All sick persons are removed in an ambulance, or other proper conveyance, to the nearest hospital for contagious diseases, or are sent to the floating hospital maintained by this authority off Gravesend.
- "(4.) The quarters, &c., of the crew and passengers (and, if necessary, the cargo), are thoroughly fumigated for eight or nine hours with sulphur and charcoal, all bedding and articles of clothing are disinfected (and, if necessary, destroyed), the bunks, berths, bulkheads, and all other woodwork are then thoroughly scrubbed with carbolic acid and water, and, in most cases, repainted.

"A sanitary clearance is then given by this port authority to the officer of Customs, the entire proceeding usually occupying about forty-eight hours.

"I am to add, for your information, that the provisions of the Public Health Act, under which this port authority is constituted, do not recognize the system of quarantine as practised in the case of the *Taymouth Castle*, for it was practically decided some years ago by the medical officer of the Privy Council and Local Government Board, and by other eminent authorities, that the prolonged detention of sick and healthy persons on an infected ship was unscientific, fraught with danger to the healthy, and often failed to isolate the disease.

"I am also to record the opinion that powers of detention for forty-eight hours appear sufficient to enable sanitary authorities to

deal properly with contagious and infectious disease, other than plague, yellow fever, and cholera.

"I am, &c.,  
(Signed) "HARRY LEACH."

Correspondence between the Portuguese Consulate and the Port of London Sanitary Office.

[COPY.]

"PORTUGUESE CONSULATE GENERAL,  
"LONDON, 14th September, 1877.

"Dr. HARRY LEACH,  
"Chief Sanitary Officer of the City of London.

"SIR,—The Portuguese Government being desirous of improving its health service (maritime), and of granting to the officials engaged therein privileges analogous to those enjoyed by officials engaged in a similar service in foreign countries, I am induced to apply to you, as the chief sanitary officer of the City of London, for information on the following points:—

"1st—The number of officials in each of the maritime health stations in the United Kingdom, or in my Consular district, which extends from Land's End to Sunderland, with all the ports on the south and east coasts of England included in the before-named points, and further, the Scilly Islands, Channel Islands (Jersey and Guernsey), and the Isle of Wight and the whole of Scotland, and also the salaries of the officials engaged in them;

"2nd—If the officials just mentioned receive any other, and what emoluments in addition to a fixed salary;

"3rd—If, after having served a certain time, they are entitled to a pension of the whole or a part of their salary;

"4th—What charges are paid by the captains of vessels entering British ports, other than coasting vessels, for—

"Entry,

"Health visit,

"Each day of quarantine passed in port.

"Trusting to your kindness to obtain all or as much of the information asked for above as it may be in your power to give,

"I remain, SIR,

"Your obedient Servant,

"DUPRAT."

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[COPY.]

“PORT OF LONDON SANITARY OFFICES,

“DEPTFORD, S.E., *September 27th*, 1877.

“My LORD,—In detailed reply to your letter dated the 14th instant, I have the honour to transmit the following for your information :—

- “(1.) A medical officer of health and an inspector of nuisances are appointed at each chief port in the United Kingdom by the port sanitary authority, which is a local and not an imperial authority, constituted by provisional order of the Local Government Board, which latter is a State department.
- “(2.) The salaries of these officials vary very considerably, but they have no emoluments in addition.
- “(3.) There is no fixed scale of pension, this matter entirely depending upon the liberality of the local sanitary authority under whom the officer serves.
- “(4.) The captains of vessels entering British ports are liable only for charges if any members of the crew are removed to hospital as suffering from a contagious or infectious disease. In such cases the captain is responsible for the maintenance in hospital of such patients. No general charges are made, all administrative expenses, such as payment of staff, disinfection of clothing, inspection, &c., being defrayed by the port sanitary authority.

“Quarantine (except in cases of cholera, plague, and yellow fever) is not now enforced at any British port, as it is found that port sanitary work, as now carried out in the port of London, is practically sufficient to prevent the importation of epidemic disease.

“I have the honour to enclose a set of reports relating to the work of this port sanitary authority, and shall be glad to give any further information that may be required.

“I am, My LORD,

“Your obedient Servant,

(Signed) “HARRY LEACH.

“*The Consul-General*  
“*for Portugal.*”

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LIST OF PORTS IN ENGLAND HAVING A PORT SANITARY  
AUTHORITY.

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Boston.	Lancaster.
Bridgewater.	Littlehampton.
Bristol.	Liverpool.
Cardiff.	London.
Cardigan.	Lowestoft.
Carnarvon.	Maldon.
Chepstow.	Milford.
Chester.	Newport.
Colchester.	New Shoreham.
Cowes.	Penzance.
Dartmouth.	Plymouth.
Deal.	Poole.
Exeter.	Portsmouth.
Falmouth and	Preston.
Truro.	Rochester.
Faversham.	Southampton.
Fleetwood.	Sunderland.
Gloucester.	Swansea.
Hartlepool.	Teignmouth.
Harwich.	Wells (Norfolk).
Hayle.	Weymouth.
Hull.	Wisbeach.
Ipswich.	Workington.
King's Lynn.	

It is to be observed that every "Port Sanitary Authority" is constituted by the Local Government Board, by virtue of the Public Health Act of 1875.<sup>78</sup> The Authority is appointed for a certain time, and then expires, unless continued by another order of the Board. The only instance in which one of these Authorities has been permanently constituted by a provisional order, confirmed by Parliament, is that of Liverpool.

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<sup>78</sup> See s. 287 of this Act, *ante*, p. 237.

## No. II.

INSTRUCTIONS GIVEN BY THE BRITISH BOARD OF  
CUSTOMS, APRIL 9TH, 1879.<sup>79</sup>

IN consideration of the absolute freedom from any suspicion of Plague in the territories of Germany, Norway, Sweden, and Denmark, and of the stringent precautions against the introduction of that disease into those countries which have been adopted by their respective Governments, the Lords of the Privy Council direct that the provisions of the Order in Council of the 22nd March last shall be so carried out in the cases of vessels arriving in this country from any German, Danish, Norwegian, or Swedish Port in the Baltic Sea, as to involve the least avoidable detention of any such vessels.

The Boarding Officers are therefore not to exact Bills of Health from masters of vessels from such Ports.

Vessels from Russian Ports in the Baltic are to be treated in the same manner as vessels from the Mediterranean.

## MEMORANDUM SHOWING THE PRACTICE PURSUED IN ORDINARY CASES IN RESPECT TO VESSELS ARRIVING FROM THE MEDITERRANEAN.

The Master is required to produce a Bill of Health, viz., either a British Consular one or a foreign one, duly signed by a British Consul, or by some other person duly authorized by the Regulations where there is not a British Consul. On the production of this document in proper form, and on the health of the crew being found in a satisfactory condition, the vessel is immediately admitted to free pratique. In the absence of such Bill of Health, or the

<sup>79</sup> The foregoing pages were then passing through the press; the subject-matter of this Appendix could not therefore be inserted in its proper place.

production of a foul one, or if sickness of a suspicious nature has prevailed during the voyage, the vessel is detained, and the circumstances reported for the Board's directions.

*Vessels from Ports or Places placed under special Quarantine Restrictions by Orders in Council.*

The Master is not required to produce a Bill of Health with a view of admitting the vessel to pratique. A strict examination is made by the quarantine officers of these vessels with reference to the state of the health of the crew, and at the discretion of the officers they may be detained for medical inspection, but if there has not been any sickness during the homeward voyage (which has occupied not less than twenty-eight days) the medical inspection is dispensed with, and the vessel is allowed free pratique by the quarantine officer *without detention for the Board's directions*. If sickness has occurred during the homeward voyage, the vessel is detained, medically inspected, and the circumstances of the case reported for the Board's directions.

A LIST OF THOSE PORTS AND PLACES, AFFECTED BY THE ORDER IN COUNCIL OF 22ND MARCH, 1879, WHERE BRITISH CONSULS OR VICE-CONSULS ARE STATIONED.

In the BALTIC SEA.<sup>80</sup>

*Germany.*

Kiel.  
Lubeck.  
Rostock.  
Wismar.  
Königsberg.  
Dantzic.  
Memel.  
Stettin.  
Swinemünde.

*Denmark.*

Aarhus.  
Bornholm (Isle of).  
Copenhagen.

Elsinore.  
Frederickshaven.  
Nyborg (Funen).  
Odense (Funen).  
Randers.

*Sweden.*

Stockholm.  
Borholm.  
Calmar.  
Gefle.  
Gothenburg.  
Gothland.  
Helsingborg.  
Hernösand.

<sup>80</sup> The Baltic Sea includes the waters east of the Skaw or Skagen, the north-east point of Denmark.

Halmstad.  
 Hudiksvall.  
 Luleå.  
 Norrköping.  
 Öland.  
 Söderhamn.  
 Sundsvall.  
 Umeå.  
 Warberg.  
 Westervik.  
 Carlskrona.  
 Carlshamn.  
 Malmö.  
 Ystad.

*Russia, North.*  
 St. Petersburg.  
 Cronstadt.  
 Kotka and Frederickshamn.  
 Narva.  
 Revel.  
 Viborg.  
 Helsingfors (Finland).  
 Åbo.  
 Björneborg.  
 Uleåborg.  
 Riga.  
 Arensburg.  
 Libau.  
 Pernau.  
 Windau.

In the BLACK SEA, the SEA OF AZOFF, or the SEA OF  
 MARMORA.

*Russia (South).*  
 Kertch (Crimea).  
 Odessa.  
 Kherson.  
 Nicolaieff.  
 Sebastopol.  
 Taganrog.  
 Berdiansk.  
 Poti.  
 Roumania (Black Sea).  
 Galatz.  
 Delta of Danube.  
 Ibraila.  
 Kustendjie.  
 Soulina.

*Turkish Ports.*  
 Constantinople.  
 Burgas.  
 Ineboli.  
 Samsoon.  
 Trebizond.  
 Varna.  
 Ghio.  
 Panorma.  
 Rodosto.  
 Scutari.  
 Dardanelles.  
 Gallipoli.

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